Friday
26th February, 1954

PARLIAMENTARY DEBATES

HOUSE OF THE PEOPLE

OFFICIAL REPORT

(Part I- Questions and Answers)

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THE

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Friday, 26th February, 1954

The House met at Two of the Clock

[MR. SPEAKER *in the Chair*]

ORAL ANSWERS TO QUESTIONS

BHARAT ELECTRONICS FACTORY

*406. **Shri M. L. Dwivedi:** (a) Will the Minister of **Defence** be pleased to state whether the possibility of establishing co-operation between the Radio and Electrical Manufacturing Company Ltd. and the contemplated Bharat Electronics Factory at Bangalore has been explored?

(b) Will the activities of the Ramco and the proposed Electronics factory be identical or will each cater for different varieties of manufacture?

The Deputy Minister of Defence (Shri Satish Chandra): (a) Yes. It is Government's intention to utilise to the full whatever facilities exist in the country for the manufacture of Radio and Electronic equipment either with REMCO or other parties.

(b) The activities of the BEI will differ from those of REMCO and other commercial firms. Whereas B.E.I. will manufacture the main Electronic equipments, REMCO is engaged in the production of domestic meters, insulated wires and cables, plastic goods and assembly of domestic radio receiver sets, which are not to be manufactured by BEI.

श्री एम० एल० द्विवेदी : मैं यह जानना चाहता हूं कि इन दोनों फैक्टिरियों के सम्मिलित कार्य के लिये सरकार ने कोई योजना तैयार कर ली है ? और यदि तैयार कर ली है तो जिन पार्टियों के साथ काम होने वाला है उन के डाइरेक्टरों से राजीनामा ले लिया गया है ?

श्री सतीश चन्द्र : राजीनामे का कोई प्रश्न नहीं है । यह सरकार की अपनी अलग फैक्टरी है । सरकार ने इस बात की जानकारी प्राप्त कर ली है कि आजकल दूसरी फैक्टरीज में क्या क्या चीजें बन सकती हैं । उन चीजों का इस फैक्ट्री में बनाने का कोई विचार नहीं है । रेडियो मैनुफैक्चरर्स एसोसिएशन ने एक रिप्रेजेन्टेशन भी भेजा है और गवर्नमेंट इस बात का बराबर खयाल रखेगी कि कोई डुप्लिकेशन न हो ।

श्री एम० एल० द्विवेदी : मैं जानना चाहता हूं कि विदेशी विशेषज्ञों के इन कम्पनियों में कितने शेयर हैं और क्या उन से भी इस बात की स्वीकृति ले ली गई है ?

श्री सतीश चन्द्र : भारत एलेक्ट्रानिक्स इन्डस्ट्रीज में किसी का शेयर नहीं है, यह केवल गवर्नमेंट की फैक्ट्री है, सारी पूंजी गवर्नमेंट अपने पास से लगा रही है । फारेन एक्स्पर्ट्स तो सिर्फ सलाह के लिये हैं ।

CENTRAL ACTS

*407. **Th. Lakshman Singh Charak:** (a) Will the Minister of Law be pleased to state which of the Central Acts have been questioned in the Supreme Court from 1950 up to end of 1953?

(b) How many of them have been declared void and are repugnant to the provisions of the Constitution?

(c) What action have Government taken or propose to take in this respect?

The Deputy Minister of Home Affairs (Shri Datar): (a) The following Central Acts were challenged in the Supreme Court between 1950 and 1953:—

1. Indian Criminal Law Amendment Act, 1908 as amended by Indian Criminal Law Amendment (Madras) Act, 1950.

2. Essential Supplies (Temporary Powers) Act, 1946.

3. Sholapur Spinning and Weaving Company (Emergency Provisions) Act, 1950.

4. Preventive Detention Act, 1950.

5. Preventive Detention (Amendment) Act, 1951

6. Preventive Detention (Second Amendment) Act, 1952.

7. Industrial Drisputes (Appellate Tribunal) Act, 1950.

8. Ajmer Revenue and Land Records Act, 1950, and

9. Constitution (First Amendment) Act, 1951.

In addition, reference was made by the President under Article 143 of the Constitution to the Supreme Court regarding the validity of the Delhi Laws Act, 1912, the Ajmer-Merwara (Extension of Laws) Act, 1947, and the Part 'C' States (Laws) Act, 1950.

(b) Only the following provisions were declared void as being repugnant to the Constitution:—

(1) Section 15 (2) (b) of the Indian Criminal Law Amendment Act, 1908, as amended by the Madras Act,

(2) Sholapur Spinning and Weaving Company (Emergency Provisions) Act, 1950,

(3) Section 14 of the Preventive Detention Act, 1950, and

(4) Section 112 of the Ajmer Revenue and Land Records Act, 1950

The proivsion in section 2 of the Part C States (Laws) Act, 1950 which enabled the Central Government to amend a corresponding law while extending an Act to a Part C State was also held to be invalid in the advisory opinion of the Court.

(c) Section 14 of the Preventive Detention Act and the invalid part of section 2 of Part C States (Laws) Act were repealed long ago The other two void sections will be formally repealed by the annual Repealing and Amending Bill. As regards the Sholapur Act, the matter is under consideration.

Th. Lakshman Singh Charak: In view of the answer given, will Government consider the desirability of having a permanent body of experts who would examine all the legislation before it is brought forward before the Parliament or the State Legislatures?

Shri Datar: That is a larger question Government would take the hon. Member's suggestion into account.

Shri R. K. Chaudhuri: May I know whether Section 14 of the Preventive Detention Act to which reference was made just now has been subsequently amended to make it a legal provision?

Shri Datar: So far as the legal opinion we have taken is concerned, we have taken the right step. The matter might raise difficulties again and it might go to the Supreme Court.

Mr. Speaker: I think there is some confusion. That particular Act, Section 14 of which was repealed, has itself been already repealed and another Act has been passed. If my memory serves me aright, the new Act was passed by the House within two days.

Shri R. K. Chaudhuri: May I know whether the subsequent Act has been assailed in a court of law or not?

Mr. Speaker: It is not included in the list.

Shri Vallatharas: May I know whether in the preparation of the Bills the Attorney-General or the Advocate-General of the respective States is consulted before the measure is brought before the House for enactment?

Shri Datar: Whenever necessary we consult the State Governments.

Shri Vallatharas: Apart from that, is the Attorney-General consulted on important Bills before they are brought before the House?

Shri Datar: So far as the Government of India are concerned, we take into account the opinion of the Attorney-General also.

SCHOLARSHIPS FOR POST-GRADUATE STUDIES

*409. **Shri Bahadur Singh:** Will the Minister of **Education** be pleased to state:

(a) whether it is a fact that Government have entered into reciprocal arrangements with foreign countries for the grant of scholarships for post-graduate studies to Indian students;

(b) if so, the names of the countries with whom such an arrangement has been made; and

(c) whether there would be any special subjects which will be studied by foreigners in India?

The Parliamentary Secretary to the Minister of Education (Dr. M. M. Das): (a) and (b). No recipocal arrangements as such have been entered into but Government have offered a few scholarships to Belgium, Italy, Mexico, Norway, Netherlands, Sweden and Yugoslavia, who are giving scholarships or other similar facilities to our nationals.

(c) All available subjects, and particularly Indian History, Philosophy and Culture.

Shri Bahadur Singh: May I know, Sir, what is the procedure for the selection of students who are awarded these scholarships?

Dr. M. M. Das: There is a selection committee in which senior officers of the Central Government, some officers of the foreign embassies concerned, and some experts in the line in which the candidate wishes to make post-graduate study, are represented.

Shri Bahadur Singh: What is the number of students who have gone abroad under this scheme?

Dr. M. M. Das: Twenty scholarships have been offered by the Government of India to foreign students but the selection has not yet been made.

Shri K. K. Basu: May I know whether the subjects in which scholarships are awarded for post-graduate studies are specified by the country offering the scholarships?

Dr. M. M. Das: The subjects are specified by the country offering scholarships to Indian nationals.

पाकिस्तान में निष्क्रमणार्थियों का सोना

*४१०. **सेठ गोविन्द दास :** क्या वित्त मंत्री यह बताने की कृपा करेंगे कि क्या यह सच है कि निष्क्रमणार्थियों का जो सोना विभाजन के बाद पाकिस्तान में भारतीय बैंकों में रह गया था, उसका कुछ भाग वास्तविक मूल्य से बहुत कम दर पर बेच दिया गया ?

The Deputy Minister of Finance (Shri A. C. Guha): The information is not available.

Seth Govind Das: Has there been any report in this respect so far?

Shri A. C. Guha: This is one of the items pending with the Pakistan Government. Several times this matter was discussed with them, but it has not been possible to come to any settlement.

सेठ गोविन्द दास : हमारे पाकिस्तान के जो राजदूत हैं उन से इस सम्बन्ध में क्या केन्द्रीय सरकार ने कोई लिखा पढ़ी की है, और क्या उन्होंने इस सम्बन्ध में कोई खबर भेजी है ?

Shri A C. Guha: I cannot say whether we have made any particular attempt through the High Commissioner. Several attempts have been made, but it has not been possible to get the information. We tried to get the information through the banks, but they would not supply the information without the permission of the Pakistan Government.

SURVEY OF INDIA WORKERS

*411. **Shrimati Renu Chakravartty:** (a) Will the Minister of **Natural Resources and Scientific Research** be pleased to state whether the attention of Government has been drawn to the resolution adopted at the Fifth Annual Conference of the Survey of India workers, demanding revision of their pay and allowances?

(b) If so, what action do Government propose to take in the matter?

The Deputy Minister of Natural Resources and Scientific Research (Shri K. D. Malaviya): (a) and (b). No Sir, but independently of any representation Government in the Ministry of N. R. and S. R. have been examining several conditions of service of the staff of the Survey of India and more particularly the Class IV personnel of the Survey.

Shrimati Renu Chakravartty: Is it a fact that the recommendations of the Central Pay Commission have not been implemented in the case of the Survey of India workers?

Shri K. D. Malaviya: No, Sir, they have not been implemented.

Shrimati Renu Chakravartty: When does Government propose to implement or bring forward some new scales,—revised scales of pay?

Shri K. D. Malaviya: As I have said with regard to the new scale of pay for Class IV staff of the Survey of India, Government are actively considering the matter and a decision will be taken soon.

Shrimati Renu Chakravartty: What per cent of the total wage bill is drawn by Class I officers and what is their number?

Shri K. D. Malaviya: I have not got the information.

LIBRARIES

*412. **Shri Jhulan Sinha:** Will the Minister of **Education** be pleased to state whether any amount has been sanctioned to, and availed of, by the State Government of Bihar for the development of libraries there?

The Parliamentary Secretary to the Minister of Education (Dr. M. M. Das): A statement is laid on the Table of the House. [*See* Appendix II, annexure No. 7]

Shri Jhulan Sinha: What was the amount requisitioned by the State of Bihar against which this amonut was sanctioned?

Dr. M. M. Das: For the year 1952-53, the amount sanctioned to Bihar was Rs. 6,600 and that amount was utilised by that State. I cannot say what was the amount wanted by Bihar Government.

Shri Jhulan Sinha: What was the basis on which the sanction was based?

Dr. M. M. Das: It depends upon the scheme that is sent by the State Government.

Shri Jhulan Sinha: What was the amount involved in the scheme submitted by the Bihar State for which this amount Rs. 6,600, was sanctioned?

Dr. M. M. Das: That information is not with me.

Shri S. N. Das: May I know whether there are uniform schemes for all the States, or different states asked to submit different schemes of their own?

Dr. M. M. Das: The broad outline of the schemes has been sent to different States and they have been requested to send their schemes upon which the grants will be given.

SECONDARY EDUCATION

*413. **Shri Muniswamy:** Will the Minister of **Education** be pleased to state :

(a) whether it is a fact that Government have supplied copies of the brochure, "A New Deal for Secondary Education" to all Secondary Schools in India;

(b) the number of copies of the brochure printed;

(c) whether editions in Regional languages were published; and

(d) whether any other publications were supplied to the States in this connection?

The Parliamentary Secretary to the Minister of Education (Dr. M. M. Das): (a) Yes, copies have been sent to all State Governments for distribution to Secondary Schools.

(b) 15,000

(c) No.

(d) The Report of the Secondary Education Commission was previously supplied to the State Governments.

Shri Muniswamy: May I know under what scheme these brochures were distributed—under what scheme of education?

Dr. M. M. Das: This new pamphlet in question comprises three chapters of the Secondary Education Commission's Report. It is being sent to the State Government for distribution among the secondary school teachers so that they may acquaint themselves with the basic principles of the Report so far as they are applied to their day to day teaching work.

Shri Muniswamy: May I know whether there is any proposal to supply copies in regional languages?

Dr. M. M. Das: There is no such proposal at present.

Shri R. K. Chaudhuri: May I know if in this "New Deal" there is any reference to the inadequacy of the salaries of the secondary school teachers?

Dr. M. M. Das: That might have been referred to in the Secondary Commission's Report, but so far as this brochure is concerned, it contains three chapters of that Report and whether that particular item is here or not, I cannot say.

Shri N. M. Lingam: Is it not a fact that certain State Governments have appointed their own Commissions to enquire into the state of secondary education in their States? If so, may I know whether this pamphlet distributed by the Government of India will not come in conflict with the recommendations of those Commissions?

Dr. M. M. Das: I have no information at present.

OFFICIAL DRESS OF GOVERNMENT SERVANTS

*414. **Shri S. N. Das:** Will the Minister of **Home Affairs** be pleased to state:

(a) whether any directive regarding the dress which officials should wear has been issued; and

(b) if so, what is the nature of the directive so issued?

The Deputy Minister of Home Affairs (Shri Datar): No standard mode of dress has been prescribed. Certain suggestions which will assist the Central Government employees in the maintenance of correct standards have been made. A statement showing these recommendations is laid on the Table of the House. [*See* Appendix II, annexure No. 8].

Shri S. N. Das: May I know whether as a result of the suggestions made, the results achieved or reactions produced had been received from the various Departments of the Government, or whether they have been asked to submit any report?

Shri Datar: They have been issued only recently. It is too early to expect any results. In due course we shall know how they are working.

Shri S. N. Das: May I know whether these suggestions have also been made

to various State Governments for their adoption?

Shri Datar: It is not within our purview to make recommendations to the State Governments—it is for them to act; they may adopt these things also.

Shrimati Renu Chakravartty: Are these directions of a permissive nature or obligatory nature?

Shri Datar: They are of a recommendatory nature.

SANGEET NATAK AKADAMI

*417. **Shri Keshavaiengar:** Will the Minister of **Education** be pleased to state:

(a) the names of the institutions to which the Sangeet Natak Akadami has afforded recognition and given facilities;

(b) how many of them are amateur dramatic associations; and

(c) how many of them are institutions dealing with dancing?

The Parliamentary Secretary to the Minister of Education (Dr. M. M. Das):

(a) The Sangeet Natak Akdami has not yet recognised any institution.

(b) and (c). The question does not arise.

Shri Keshavaienger: May I know if the Akadami has invited applications for recognition?

Dr. M. M. Das: It is an autonomous body, and our information is that a sub-committee consisting of several members of the Akadami has been set up by the Sangeet Natak Akadami for recommending recognition to institutions, and the sub-committee is being to consider the matter in March.

Shri Dabhi: May I know whether there is no Sanskrit or Hindi equivalent for the term Academy?

Mr. Speaker: Next question.

Shri M. D. Ramasami: May I know whether recognition by this Akadami carries with it any form of financial assistance to the institution concerned?

Dr. M. M. Das: Sir, I cannot commit myself, but it appears that this recognition means eligibility for financial aid.

KANDLA CORRUPTION CASE

*418. **Shri Dabhi:** Will the Minister of **Home Affairs** be pleased to state:

(a) whether it is a fact that the Anti-corruption branch of the Central Police has unearthed at Kandla port, a conspiracy to falsify measurements of earth works which form the basis for payment to contractors; and

(b) if so, the details of the conspiracy?

The Deputy Minister of Home Affairs (Shri Datar): (a) Yes. Information purporting to show the existence of such a conspiracy has been received and is now under verification.

(b) The investigation of the case is proceeding. Details are not available at present.

Shri Dabhi: May I know whether any persons have been apprehended in this connection?

Shri Datar: A preliminary enquiry has been going on, and till now no person has been apprehended.

Shri Dabhi: At what stage was the conspiracy unearthed?

Shri Datar: The conspiracy was unearthed at a stage when it was found that an amount larger than the one sanctioned was taken away.

Shri Dabhi: May I know what was the larger amount?

Shri Datar: The original amount sanctioned was Rs. 2,40,000 and the amounts in respect of which payments were made were Rs. 4,08,000.

Shri Vallatharas: Apart from the conspiracy in the case, has there been any evidence about the commission of the act?

Mr. Speaker: I think the matter is under investigation. It will be premature to go into it, and not even proper.

Shri Vallatharas: In the F. I. R. there may be a conspiracy .....

Mr. Speaker: Let it be left to the investigation.

Shri N. M. Lingam: May I know whether anybody has been kept under suspension, pending enquiry?

Shri Datar: That itself has to be considered. The enquiry is at a preliminary stage.

LITERATURE FOR CHILDREN

*419. **Shri Radha Raman:** Will the Minister of **Education** be pleased to state:

(a) whether it is a fact that Government are considering a scheme for preparing some literature for children;

(b) if so, under whom this scheme is being finalized; and

(c) the language in which this literature is expected to be prepared?

The Parliamentary Secretary to the Minister of Education (Dr. M. M. Das): (a) Yes.

(b) The scheme has been formulated by the Government of India (Ministry of Education).

(c) **Hindi.**

Shri Radha Raman: May I know if some non-official agencies which are already engaged in this kind of work are consulted in preparing these schemes?

Dr. M. M. Das: The *Makhtaba Jamia* have undertaken this work.

Shri S. N. Das: What is the amount that is required for the implemenntation of the scheme at present?

Dr. M. M. Das: Rs. 2·5 lakhs have been earmarked for this scheme.

Dr. Rama Rao: May I know why Government are not producing the literature in languages other than Hindi?

Dr. M. M. Das: Government hopes that the work of preparing the literature in other languages will be taken up by the respective State Governments

Shri M. L. Dwivedi: May I know if the institution which has been entrusted with the preparation of the literature has any experience of this work?

Dr. M. M. Das: There can be no doubt about that, Sir.

सेठ गोविन्द दास : क्या मैं जान सकता हूं कि जिस संस्था को यह काम सौंपा गया है, उस संस्था को किसकी सिफ़ारिश से सौंपा गया है और उसके लिये क्या और भी संस्थाओं से बातचीत की गई थी और उसके बाद उस को सौंपा गया है या केवल इसी संस्था को सौंपा गया है ?

Dr. M. M. Das: These organisations, *Makhtaba Jamia*, have undertaken the complete work, that is, preparation of a hundred books for children.

सेठ गोविन्द दास : यह मेरे यह सवाल का जवाब नहीं है ।

Mr. Speaker: The question is, on whose recommendation was this institution entrusted with the work; whether other institutions were previously consulted and informed as to whether they would be willing to take up the work in question or not?

Dr. M. M. Das: I require notice for this question.

AIR BASE IN THE NICOBAR ISLANDS

*420. **Dr. Ram Subhag Singh :** Will the Minister of **Defence** be pleased to state:

(a) whether it is a fact that there is an air base in the Nicobar Islands; and

(b) if so, for what purposes that air base is being utilised at present?

The Minister of Defence Organisation (Shri Tyagi): (a) **Yes, Sir. It is**

in fact an air strip, and not a full-fledged air station.

(b) The RAF have been allowed to have a staging post on this air strip for carrying out the limited task of providing navigational aids and refuelling facilities for their aircraft flying across the Bay of Bengal and the Indian Ocean.

Dr. Ram Subhag Singh: The hon. Minister just said that the RAF have been allowed to have a staging post on this air strip. May I know whether it had been allowed or it was already having its control over the air strip, and whether the Government of India have asked the Government of the United Kingdom to transfer the control of the strip to the Government of India?

Shri Tyagi: Sir, this question has been asked once already. I want to make it clear that the RAF were allowed to have a staging post on this air strip for carrying out the limited task of providing navigational aids and refuelling facilities for their aircraft. There are, on an average, eight to ten landings per month. No equipment is held at this post. About twenty RAF personnel including officers and men are stationed there. It is not a full-fledged air station. A staging post provides limited facilities only. The above arrangement is a mutual one on the express condition that we can stop these facilities when we choose and we can take it over at short notice.

Dr. Ram Subhag Singh: What I want to know is whether the Government of India have any control at all over that air strip and whether the Government of India were ever allowed by the Government of the United Kingdom to have its foot on that air strip?

Shri Tyagi: There is no question of the Government of India being or not being allowed. It is our territory. In fact we have allowed the Government of United Kingdom to use this air strip. It is ours and it is our property.

Shri Joachim Alva: Has Government considered the dangerous possibilities of the RAF making Nicobar Islands as a jumping-off ground to Malaya where innocent freedom-fighters are bombed?

Shri Tyagi: Sir, as I have already said, it is in reciprocity of the facilities the United Kingdom is giving, of their air strips and landing grounds, that we have agreed to give them this facility here.

Shri H. N. Mukerjee: Sir, have our Government any facilities to make sure that no abuse is practised by the RAF or any other foreign agency in this area, and may I also know if there is a scheme, as reported in the Press, to give to the RAF a permanent lease of the area where they are now in control?

Shri Tyagi: To allay any misgivings I think it is better that I repeat the conditions on which it has been given. The conditions are: (i) that, as at present, the Island should be used only for navigational purposes and for refuelling only; (ii) that as the Government of India are likely to require the air strip for their own use some time, they should be free to take over after giving H.M.G. suitable notice—H.M.G. means Her Majesty's Government;

(iii) when the Government of India take over this strip and the buildings and installations put up by HMG, no compensation will be payable by the Government.

On these conditions, it has been lent to them. We have still the total proprietary right over the Island. It is not as if they have any other authority over the Island except the use of this air strip.

Shri H. N. Mukerjee: I wanted to know whether there were any administrative.....

Mr. Speaker: Order, order.

Shri H. N. Mukerjee: I want to ask one question.

Mr. Speaker: I am not allowing that. The point of enquiry was this

The hon. Minister said that there were reciprocal facilities. The question was, what are those facilities which the Government of India get within the jurisdiction of the UK?

Shri Tyagi: The same: refuelling, landing and also navigational facilities.

Mr. Speaker: In what places?

Shri Tyagi: Our Indian Air Force planes go to the UK practically once every month. On their way, wherever there are British air strips or landing grounds, we take full advantage of them.

Mr. Speaker: Next question.

INCOME-TAX OFFICERS

*421. **Shri Gidwani:** Will the Minister of **Finance** be pleased to state:

(a) whether the Union Public Service Commission issued an advertisement for filling in the posts of Income-tax Officers, Class II in December, 1952;

(b) whether they started interviewing the candidates sometime in Septemter, 1953;

(c) whether the interviews are over or are still in progress; and

(d) when the appointments will be made?

The Deputy Minister of Finance (Shri M. C. Shah): (a) Yes, Sir.

(b) Yes, Sir. The Union Public Service Commission had to scrutinise about 8000 applications and the Selection Board appointed by them could start interviewing the candidates only from the 28th September, 1953.

(c) The interviews are still in progress.

(d) The interviews are expected to conclude by about the middle of March, 1954, and the offers of appointment will be issued as soon as the Commission have finalised the selections.

Shri M. S. Gurupadaswamy: May I know why there was such an inordinate delay in interviewing the candidates and in appointing them?

Shri M. C. Shah: It is in the hands of the Public Service Commission. They have to interview a good number of candidates out of those 8000 applicants.

TRIBAL WELFARE WORK

*422. **Shri K. P. Sinha:** Will the Minister of **Home Affairs** be pleased to state:

(a) whether it is a fact that the Bhartiya Adimjati Seva Sangh has requested help from the Government of India for carrying on its work amongst the tribal people;

(b) whether the Sangh has submitted any scheme to cover the amount of help so requested;

(c) whether Government have considered the same; and

(d) if so, the decision taken thereon?

The Deputy Minister of Home Affairs (Shri Datar): (a) and (b). Yes.

(c) and (d). All the schemes, costing Rs. 50,000/- submitted by the Sangh, have been approved by Government. A sum of Rs. 27,000/- has already been paid and the balance will be paid at the close of the year on the receipt of detailed accounts.

Shri K. P. Sinha: May I know whether this Sangh receives an annual grant from the Centre, and if so, to what extent?

Shri Datar: There is no question of their receiving an annual grant. They are concerned with the grant for the present year.

Shri Thimmaiah: Whenever the Central Government makes a grant for the uplift of the Scheduled Castes and Scheduled Tribes, to the State Governments, may I know whether the State Governments are required to submit any report of the work in respect of which the money is granted?

Shri Datar: The State Governments always submit reports in respect of what they do and what they spend so far as the uplift of these communities is concerned.

Mr. Speaker: In respect of the grant which the Government give?

Shri Datar: They do submit reports as to how the amount has been spent.

Shri Nanadas: May I know whether the members of this Sangh are paid any allowances, and if so, at what rates?

Shri Datar: The Government of India do not accept any responsibility for giving allowances. So far as we are aware, no allowances are paid to the members.

INDUSTRIAL FINANCE CORPORATION

*424. **Shri S. C. Samanta:** Will the Minister of **Finance** be pleased to state:

(a) how many long term loans were granted to industrial concerns by the Industrial Finance Corporation of India in 1952-53 and 1953-54 respectively; and

(b) how many of these concerns are located in places where normal banking facilities are inadequate?

The Deputy Minister of Finance (Shri A. C. Guha): (a) The Industrial Finance Corporation sanctioned 14 loans during the period from 1st July, 1952 to 30th June, 1953 and 16 loans for the half-year ended the 31st December, 1953.

(b) All these thirty borrowing companies have their registered offices in places where normal banking facilities are available.

Shri S. C. Samanta: May I know how many industrial concerns were refused loans in those two years, and whether the Government have found out the number of cases of refusals to concerns where there are no normal banking facilities?

Shri A. C. Guha: For the first part of the question I would like to have notice. I could not follow the second part of the question.

Shri S. C. Samanta: I wanted to know whether any concerns were refused loans which had no banking facilities in their areas.

Shri A. C. Guha: I think the hon. Member has in his mind some wording in the preamble of the Act which says particularly in "instances where normal banking accommodation is inadequate." That does not mean that the area in which the concern is located has no banking facilities. It only means that a particular concern may not get the required accommodation from banks. There is hardly any concern worth having credit from the Industrial Finance Corporation which is located in an area where banking facilities are not available.

Shri Raghuramaiah: May I know whether loans are granted to any companies whose directors or shareholders are directors of the Finance Corporation?

Shri A. C. Guha: According to the Act there is no ban on this, but the hon. Member may know that in the recent Resolution we have put certain restrictions on such concerns getting any accommodation from this Corporation. The hon. Member may please refer to the Resolution which was placed before this House during the last session.

Shri S. C. Samanta: May I know whether any concession in the interest charged was given to any of these concerns?

Shri A. C. Guha: For that also I would like to have notice. These loans were granted only last year. So it may not be time as yet for any interest being paid.

N.C.C. (GIRLS DIVISION)

*425. **Shri D. C. Sharma:** Will the Minister of **Defence** be pleased to state:

(a) whether the scheme for Social Service Camps for the Girls' Division of the N.C.C. has been finalised; and

(b) if so, what are its main features?

The Deputy Minister of Defence (Shri Satish Chandra): (a) Social service will be included both in the annual camps and the cadre camps of the Girls Units in the year 1954-55. The details have not yet been finalised.

(b) Girl Cadets in the course of their normal training are taught first-aid and home nursing. It is proposed to give them opportunities during the camps to visit adjoining villages and to put into practice the lessons learnt by them. They will also be given light manual work.

Shri D. C. Sharma: What will be the nature of this "light manual work" to which the hon. Minister referred?

Shri Satish Chandra: That has yet to be finalised as I said. It will depend on the environments in which these girls work.

Shrimati Maydeo: May I know how many N.C.C. Girls Divisions are there in all at present.

Shri Satish Chandra: The total number of girl cadets is over 600.

Shrimati Maydeo: May I know when Government propose to start N.C.C. Girls Divisions in the Colleges in Poona?

Shri Satish Chandra: It all depends upon the State Government of Bombay. If they agree that a Girls Division should be started in a particular college, we shall agree to it.

Shrimati Jayashri: May I know how these girls are recruited?

Shri Satish Chandra: They are college girls who join the N.C.C. unit of a particular college.

Shri D. C. Sharma: May I know what kind of environment is going to be selected for these camps—urban, semi-urban or rural?

Shri Satish Chandra: These details are still being worked out in consultation with the State Governments.

N.C.C. CAMP ACCIDENT

***426. Shri Nanadas:** Will the Minister of **Defence** be pleased to state:

(a) whether the attention of Government has been drawn to the tragic death of an N.C.C. Cadet, while digging a canal near Ludhiana;

(b) if so, what action Government propose to take to ensure that the parents of the cadet are properly compensated; and

(c) whether it is also a fact that at the time the work was in progress, there were no engineers or overseers on the spot?

The Deputy Minister of Defence (Shri Satish Chandra): (a) Yes, on January 2, 1954, while the 3rd Punjab Battalion of the N.C.C. Ludhiana was, with the approval of the State Government, undergoing its normal course of social service training and had undertaken the work of digging a distributary canal for Ludhiana City, some earth got dislodged from the top of the embankment and fell on the Cadets working there, with the unfortunate result that Cadet Chatar Singh died and two others were wounded. First aid was rendered on the spot immediately, but Chatar Singh expired before he could reach hospital.

(b) N.C.C. being purely a voluntary organisation and social service work being a part of its normal training, any accidents occurring in training camps are treated by the educational institutions and State Governments as incidents in games and other athletics where compensations are not paid to parents.

(c) Two N.C.C. officers and the P. W. D. Overseer, who were supervising the work, were present on the spot at the time of the accident.

Shri Nanadas: May I know what instructions Government have given to the N.C.C. after this incident, so that the recurrence of these incidents will not be a common feature?

The Minister of Defence Organisation (Shri Tyagi): How can the compensation stop the incidents? It is surprising.

Mr. Speaker: The hon. Member wants to know what instructions have been given by Government in the light of this incident, so that the recurrence of such incidents may not be there in the future.

Shri Satish Chandra: This was a very unfortunate accident. Due precautions are always taken, and will be taken, to ensure that such accidents do not recur.

ESTATE DUTY ACT

*427. **Shri Ram Dass:** Will the Minister of **Finance** be pleased to state:

(a) the policy of Government as regards the recruitment of the staff for the administration of the Estate Duty Act; and

(b) whether that recruitment has been made exclusively from the Income-tax department?

The Deputy Minister of Finance (Shri M. C. Shah): (a) and (b). The Administration of the Estate Duty Act is carried on by the staff of the Incometax Department. No special policy is to be followed for the recruitment of the staff for Estate Duty. The staff of the Income-tax Department will be augmented as and when necessary to cope with the additional work that may fall on them in connection with the administration of the Estate Duty Act.

Shri Ram Dass: May I know whether Government are considering the question of recruitment from the Central Excise Department also?

Shri M. C. Shah: This has nothing to do with the Central Excise Department. We are recruiting from the Income-Tax Department. This work has been entrusted to the Income-Tax Department, so the Income-Tax Officers will do this duty also.

Mr. Speaker: That is not the question. The hon. Member wants to know whether Government will recruit persons for this Department from among servants working in the Central Excise Department.

Shri M. C. Shah: It is not decided as yet. So far as the Income-Tax Officers are concerned, we have to take them through the Union Public Service Commission. With regard to the other staff, i.e. inspectors, clerks etc., these people can apply.

Pandit D. N. Tiwary: May I know whether any officer has been sent to foreign countries for training, or any expert has been called here?

Shri M. C. Shah: I have already said in reply to an earlier question that six officers are to be sent to England, for training purposes and for getting experience in the administration of estate duty in U. K. The team will consist of two Assistant Commissioners of Income-Tax and four Income-Tax Officers, Class I, Grade 1.

Shri Velayudhan: May I know whether Government will give due consideration to the quota reserved for Scheduled Castes, when the recruitment of the staff is made?

Shri M. C. Shah: Yes, the Union Public Service Commission take that into account first. A certain proportion has been reserved for Scheduled Castes.

BRITISH WAR LOAN

*428. **Shri K. C. Sodhia:** Will the Minister of **Finance** be pleased to state:

(a) the total liability of India for the British War Loan; and

(b) for how long it is likely to remain suspended?

The Parliamentary Secretary to the Minister of Finance (Shri B. R. Bhagat): (a) £ 15,466,928.

(b) Indefinitely.

Shri K. C. Sodhia: When was this liability undertaken by India?

Shri B. R. Bhagat: Originally it was undertaken in 1917. But under the new arrangement in 1931, this was renewed.

Shri K. C. Sodhia: Has any portion of this loan been discharged?

Shri B. R. Bhagat: Yes. The original loan was to the tune of £ 100 million, of which only about £ 15 million remains.

Shri K. C. Sodhia: May I know the reasons for its being held up?

Shri B. R. Bhagat: I could not follow the question.

Mr. Speaker: What are the reasons for the loan still continuing?

Shri B. R. Bhagat: It is of historical interest. It was the result of the declaration of moratorium by the then U.S. President.

Shri R. K. Chaudhuri: May I know the total amount of outstanding loan in Indian money?

Shri B. R. Bhagat: It has not been given in Indian currency, it has been expressed in pounds.

Shri R. K. Chaudhuri: What will be the Indian equivalent of that?

Mr. Speaker: It is a question of arithmetics now, of simple multiplication.

GOVERNMENT INVESTMENT IN INDUSTRIES

*429. **Shri Dhusiya:** Will the Minister of **Finance** be pleased to state the value of the total investment of the Government of India in different industries?

The Deputy Minister of Finance (Shri M. C. Shah): The information is being collected and will be laid on the Table of the House in due course.

Shri T. N. Singh: May I know if there is any principle which guides the Government of India when they make investments in the private industries?

Shri M. C. Shah: That is not the question. The information asked for is: how much money has been invested.

Mr. Speaker: Let us await the information. Next question.

VALUERS UNDER ESTATE DUTY ACT

*430. **Shri B. K. Das:** Will the Minister of **Finance** be pleased to state:

(a) whether any valuers have so far been appointed under the provisions of the Estate Duty Act; and

(b) whether it is proposed to assign different classes of estates to different valuers?

The Deputy Minister of Finance (Shri M. C. Shah): (a) No person has yet been appointed to act as valuer. The time allowed under the Estate Duty Act for the appointment of valuers is 12 months after the commencement of the Act *i.e.* after the 15th October 1953.

(b) Yes. It is proposed to appoint separate panel of valuers for different kinds of property, *viz.*, buildings, stock and shares, goodwill, etc.

Shri B. K. Das: May I know whether any case has so far been referred to arbitration?

Shri M. C. Shah: Under the Act, the accounting persons have been given six months to file their returns and that period will expire on the 15th April, 1954. But I can inform my hon. friend that we have got a list of persons who have died with dutiable estates.

Shri B. K. Das: What principle will be followed in the appointment of these valuers?

Shri M. C. Shah: We will consult the institutes; for example, the Institute of Chartered Accountants, institutes of some share brokers, institutes of building brokers, etc. We will consult them and find out who are the most suitable persons to act as valuers for the different kinds of property.

Shri B. K. Das: May I know whether there is any scale of remuneration fixed?

Shri M. C. Shah: It has not yet been fixed.

हैदराबाद में केन्द्रीय प्रयोगशाला

*४३१. **श्री भागवत झा अजाद** : क्या राज्य मंत्री यह बताने की कृपा करेंगे कि :

(क) हैदराबाद में वैज्ञानिक तथा औद्योगिक अनुसंधान के लिये खोली गई केन्द्रीय प्रयोगशाला के निर्माण पर कुल कितना खर्च हुआ है ;

(ख) क्या यह खर्च केवल केन्द्रीय सरकार ने ही किया है या राज्य सरकार ने भी इस में हाथ बंटाया है ; और

(ग) इस प्रयोगशाला में मुख्यत: किन विषयों पर अनुसंधान किया जायेगा ?

The Minister of Home Affairs and States (Dr. Katju): (a) and (c). The information has been called for from the Hyderabad Government and will be placed on the Table of the House when received.

(b) As the laboratory is an institution run by the Government of Hyderabad, the expenditure on its construction was borne by the State Government. The Government of India sanctioned a non-recurring grant of Rs. 5 lakhs as a contribution towards this expenditure.

Shri Bhagwat Jha Azad: May I know if this laboratory has started functioning, and if so, if it has done any research up till now?

Dr. Katju: I want notice of this question.

Shri Bhagwat Jha Azad: May I know who will bear the recurring cost of this institution?

Dr. Katju: I imagine the Hyderabad Government.

Shri Bhagwat Jha Azad: May I know whether it is under the contemplation of the Government to start such laboratories in other parts of India, and if so, where?

Mr. Speaker: This is a laboratory started by the Hyderabad Government.

Dr. Katju: My hon. friend is asking me about other parts of India—Saurashtra, Madras, Bengal, Andamans.

Mr. Speaker: Next question.

GOLD PRO

*432. **Shri Thimmaiah**: Will the Minister of **Natural Resources and Scientific Research** be pleased to state the total quantity of gold produced at Kolar Gold Fields in the year 1953?

The Deputy Minister of Natural Resources and Scientific Research (Shri K. D. Malaviya): 211,122 Ozs. (Provisional).

Shri Thimmaiah: May I know whether the Government is aware of the fact that John Taylor & Co., has invented machines which can manufacture gold at low cost, and if so, will the Government increase the income-tax for the production of gold?

Shri K. D. Malaviya: I am not aware.

Mr. Speaker: It is a suggestion for action.

Shri Muniswamy: How does this figure for 1953 compare with the figures for production during the previous years?

Shri K. D. Malaviya: The figures have unfortunately gone down.

HILLS AND PLAINS FESTIVAL IN MANIPUR

*433. **Shri Rishang Keishing**: Will the Minister of **States** be pleased to state:

(a) whether it is a fact that a Hills and Plains Festival was celebrated at Imphal by the Government of Manipur from 24th to 31st January, 1954;

(b) if so, the amount of expenditure involved in connection with the festival;

(c) whether Rs. 10,000/- was expended from the Tribal Welfare Fund, and

(d) if the answer to part (c) above be in the affirmative, the reasons for the same?

The Minister of Home Affairs and States (Dr. Katju): (a) Yes.

(b) Nearly Rs. 25,000.

(c) Yes.

(d) This Festival was primarily meant to foster a spirit of comradeship and understanding between the Hill and Valley people of Manipur. Since the Tribal people from the hills came from distant places, they had to be fed and lodged at State expense during the period of their stay. It was, therefore, considered that expenditure on this account as also part of the expenditure on the main festival which had as its objective the welfare of Manipur people including the scheduled tribes, should appropriately be expended from the Tribal Welfare Fund.

Shri Rishang Keishing: May I know Sir, if Government consider the grant of this money from such a fund as proper?

Mr. Speaker: 'Proper' means?

Shri Rishang Keishing: I want to know if Government consider the grant of Rs. 10,000 from the Tribal Welfare Fund for such a purpose as proper?

Dr. Katju: That is so. May I add that the Tibal Welfare Fund really amounts to Rs. 9 lakhs? So Rs. 10,000 out of Rs. 9 lakhs is not a very large sum.

Shri Rishang Keishing: May I know, Sir, if it is a fact that the tribal people numbering about 500 artists were not allowed to stay more than two days at Imphal?

Dr. Katju: I really do not know.

Shri Rishang Keishing *rose*—

Shri Bhagwat Jha Azad: May I know, Sir, if Government will consider the grant of....

Mr. Speaker: Order, order. Let him finish.

Shri Rishang Keishing: May I know, Sir, if it is a fact that the tribal people held a protest meeting at Imphal and a copy of the resolution passed was forwarded to the Minister concerned?

Dr. Katju: I do not recollect having received any resolution. But if my hon. friend will ask me a specific question, I can specifically answer in writing.

Shri R. K. Chaudhuri: Was the Tribal Welfare Fund intended for functions of this kind? Was it not intended solely for the educational uplift of the tribal people?

Dr. Katju: I do not want to commit myself off hand as to what was the purpose of creating this fund. Very likely, my hon. friend is right. But it was not quite a considerable sum, and everybody agreed that out of Rs. 9 lakhs, Rs. 10,000 might be diverted.

Shri R. K. Chaudhuri: You committed a breach of the trust.

Shri Rishang Keishing: Is it not a fact that two of the Congress advisers also boycotted this festival?

Mr. Speaker: Is it a fact that two of the advisers in Manipur who belong to the Congress refused to attend this function?

Dr. Katju: I really cannot say.

सेना द्वारा "अधिक अन्न उपजाओ अभियान"

*४३५. **श्री रघुनाथ सिंह** : क्या रक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) सेना ने "अधिक अन्न उपजाओ" कार्यक्रम के अधीन कितना अनाज तथा सब्जियां उगाई हैं ;

(ख) क्या "अधिक अन्न उपजाओ" कार्यक्रम के अधीन सेना को कोई पदक आदि भी दिये गये हैं ;

(ग) यदि हां, तो कितने ; और

(घ) किन राज्यों में यह कार्यक्रम अन्य राज्यों की अपेक्षा अधिक सफल रहा है ?

The Deputy Minister of Defence (Sardar Majithia): (a) 2010 tons of foodgrains and 13795 tons of vegetables.

(b) and (c). No medals are awarded. Since 1950-51, a cash price of Rs. 1,000 is being awarded every year to the army unit which puts up the best effort in connection with the campaign.

(d) Statewise statistics are not maintained. The units and formations forward their reports through their respective commands, military jurisdiction of each of which covers more than one State.

श्री रघुनाथ सिंह : इसमें हवाई अड्डों के स्थान भी शामिल हैं ?

Sardar Majithia: All land which is cultivated is included in this.

श्री रघुनाथ सिंह : मेरे पूछने का अर्थ यह था कि इस में हवाई अड्डों में जो बहुत सी जमीनें पड़ी हुई हैं वह भी शामिल हैं या नहीं ? सिर्फ हवाई अड्डों की ।

Sardar Majithia: It is evident, Sir, that the land which is under an aerodrome is not cultivated, but any unit can be allotted a particular piece which can be cultivated.

Shri Nanadas: May I know whether the lands once reclaimed by the Army personnel are being cultivated continuously or left fallow sometimes?

Sardar Majithia: These are voluntary efforts by the units; it does not form part of the military training, in any case. It is left entirely to the discretion of the units as to what time they can spend on activities of this nature.

Shri N. L. Joshi: May I know what is the yield per acre?

Sardar Majithia: I am afraid, I have not got these figures. I have given the total amount of produce and I can give him the area under cultivation, which is 8936 acres; he can work out the average.

COAL FIND IN MANIPUR

*436. **Shri L. Jogeswar Singh:** Will the Minister of **Natural Resources and Scientific Research** be pleased to state whether it is a fact that coal of a fine quality has been found in a hillock near Moirang in Manipur Valley?

The Deputy Minister of Natural Resources and Scientific Research (Shri K. D. Malaviya): The Government of Manipur report that a small coal deposit has been discovered at Turelui on Tiddim Road 32½ miles from Imphal. The quality of the coal is not known.

Shri L. Jogeswar Singh: May I know the possible output of this deposit?

Shri K. D. Malaviya: This report comes to us from a private party through the State Government and we have no authentic confirmation. Our report is that the area is very very small; perhaps, 5000 tons of coal may be deposited there and that too, not of a very good quality.

Shri L. Jogeswar Singh: May I know whether any expert from the Centre has been sent to Manipur to examine the coal?

Shri K. D. Malaviya: We have a programme for the survey of the Manipur State. But, my hon. friend knows the difficulty with regard to the accessibility of the areas. A rapid reconnaissance survey has been undertaken which has given us information with regard to certain minerals. So, when the next programme is undertaken, we will, certainly find out about this coal also.

BHARAT ELECTRONICS FACTORY

*438. **Shri M. L. Dwivedi:** (a) Will the Minister of **Defence** be pleased to state by what time the Bharat Electronics Factory at Bangalore is likely to be established and to go into production?

(b) What is Government investment, both recurring and non-recurring, in the above mentioned venture?

The Deputy Minister of Defence (Shri Satish Chandra): (a) The Bharat Electronics Factory is to go into partial production in 1956 and in full production in 1957.

(b) The Central Government are likely to invest up to Rs. 7½ crores as capital in the Bharat Electronics Factory plus Rs. 2½ crores as working capital.

श्री एम० एल० द्विवेदी : क्या इस सम्बन्ध में सरकार का कोई विदेशी विशेषज्ञ की सहायता लेने का विचार है ? यदि हां, तो उनके इस सलाह मशवरे के लिये क्या चुकाया जायेगा ?

श्री सतीश चन्द्र : एक कम्पनी फ्रांस की है सी०ए०एफ० जिससे गवर्नमेंट ने कंट्रैक्ट किया है । वह टकनिकल एडवाइस देगी । उसके मश्विरे से यह फैक्ट्री बनाई जा रही है और हमको जिस वैज्ञानिक सहायता की जरूरत होगी वह हम उस से लेंगे ।

श्री एम० एल० द्विवेदी : इस के लिये क्या चुकाया जायेगा ?

श्री सतीश चन्द्र : यह सब चीजें तो टर्म्स आफ एग्रीमेंट में दी हुई हैं कि इतना उन की फैक्ट्री के ले आउट के लिय चुकाया जायगा, इतना रुपया जो मदद वह मशीनरी के खरीदने के लिये देंगे उसके लिये दिया जायेगा । इस सब का अलग अलग हिसाब है ।

श्री एम० एल० द्विवेदी : मैं यह जानना चाहता हूं कि इस फैक्ट्री के लिये प्लांट और मशीनरी मंगाने के लिये क्या आर्डर दे दिया गया है ? यदि हां, तो किस देश से ?

श्री सतीश चन्द्र : हमारी फैक्ट्री के जो जनरल मैनेजर और टेकनिकल एडवाइजर थे वह फ्रांस और योरप के और मुल्कों में गये थे । उन्होंने मशीनों को देखा है और हमारे एडवाइजर्स की साहयता से मशीनें छांट ली गई हैं । अब खरीदने आदि का काम हो रहा है ।

श्री टी० एन० सिंह : मैं जानना चाहता था कि इन मशीनों के जो आर्डर दिये जा रहे हैं उन के लिये क्या सब बातें डाइरेक्टली जा करके और बात करके तय हो रही हैं या और जगहों से भी टेन्डर्स मंगा कर और कायदे से मशीनें खरीदी जा रही हैं ?

श्री सतीश चन्द्र : आर्डर्स तो जितने दिये जायेंगे वह हमारे डाइरेक्टर जनरल आफ इंडिया स्टोर्स डिपार्टमेंट जो लंदन में रहते हैं उन के मार्फत दिय जायेंगे । लेकिन मशीन कितनी और कहां मिल सकती हैं और किन किन मशीनों की जरूरत है यह सब हमारे एक्सपर्टस ने जा कर देखा है उसके बाद अब खरीदने का कार्य डाइरेक्टर जनरल आफ इंडिया स्टोर्स डिपार्टमेंट करेंगे ।

SOCIAL TENSIONS

*439. **Shri Bahadur Singh:** Will the Minister of **Education** be pleased to state:

(a) whether any study in tensional relations between the aboriginal tribes and the people of the plains was pursued during 1953-54; and

(b) if so, whether any report of the study has been prepared?

The Parliamentary Secretary to the Minister of Education (Dr. M. M. Das): (a) Yes.

(b) The Report is still awaited.

Shri Bahadur Singh: What are the teams that work in the various fields and what is the amount earmarked for this purpose?

Dr. M. M. Das: At present, ten different teams are working in different parts of India under ten eminent university professors. The total amount spent up to now by the Central Government is Rs. 67,367-8-9, and in the next year's Budget, provision has been made for Rs. 75,000.

Shri Bahadur Singh: Have these teams submitted any reports, and if so, have Government started acting on their recommendations?

Dr. M. M. Das: Some teams that began their work two or three years ago have submitted their reports, but these reports have not been considered yet. When all the teams will complete their work and submit their reports, then Government will take all the reports into consideration and examine them for further action.

RESEARCH INSTITUTES

*440. **Shrimati Renu Chakravartty:** Will the Minister of **Natural Resources and Scientific Research** be pleased to state:

(a) whether it is a fact that Government have asked the 18 Research Institutes in India to submit detailed reports about the projects awaiting development within their spheres; and

(b) if so, whether any replies have so far been received from them?

The Deputy Minister of Natural Resources and Scientific Research (Shri K. D. Malaviya): (a) Yes, Sir.

(b) 14 replies have been received so far.

Shrimati Renu Chakravartty: May I know whether the National Research Development Corporation has been set up? It was to utilise these processes and make them available to industries that stood in need of them.

Shri K. D. Malaviya: The National Research Development Corporation has been set up. It is just now examining the schemes which it had invited for examination.

Shrimati Renu Chakravartty: Has the capital of Rs. 5 lakhs which was to have been raised in 1953-54 for this Corporation been fully subscribed to?

Shri K. D. Malaviya: Government have contributed it fully. This is a purely government-run concern.

Shrimati Renu Chakravartty: It is said that the industrialists would be allowed to utilise the results of this research free of charge or royalty. What is the period up to which they can get the results of research free of charge or royalty?

Shri K. D. Malaviya: That stage for decision has not yet arrived. The Corporation is examining all the schemes it has received from the various national laboratories and institute. The question now is to examine the workability of those schemes. Once we find out which schemes are workable from the industrial point of view, then the point about royalty and the time-limit will arise.

ALL INDIA ORIENTAL CONFERENCE

*441. **Shri Muniswamy:** Will the Minister of **Education** be pleased to state:

(a) whether it is a fact that the All India Oriental Conference was held recently in Ahmedabad; and

(b) whether any recommendations were made to Government by this conference?

The Parliamentary Secretary to the Minister of Education (Dr. M. M. Das): (a) and (b). Yes, Sir.

Shri Muniswamy: May I know whether all the States were represented in this Conference?

Dr. M. M. Das: It was the Conference of a particular organisation.

SANGEET NATAK AKADAMI (GRANTS)

*442. **Shri Keshavaiengar:** Will the Minister of **Education** be pleased to state:

(a) whether any grants have been made so far by the Sangeet Natak Akadami;

(b) if so, to whom and of what amount; and

(c) which are the States in which these Cultural Akadamis have been constituted?

The Parliamentary Secretary to the Minister of Education (Dr. M. M. Das): (a) The Sangeet Natak Akadami has not made any grants so far.

(b) The question does not arise.

(c) Regional Akadamis have so far been set up in Assam, Bihar, Hyderabad, Bhopal, Madhya Bharat and Bilaspur.

Shri Keshavaiengar: May I know whether any amount is placed at the disposal of this Akadami, and if so, what is the amount?

Dr. M. M. Das: There is a provision of Rs. 2,50,000 in the current year's Budget for the establishment of this Akadami. Out of this, a sum of Rs. 1 lakh has already been sanctioned as a grant to this Akadami.

WRITTEN ANSWERS TO QUESTIONS

DEVNAGARI SCRIPT

*408. **Sardar Hukam Singh:** Will the Minister of **Education** be pleased to state:

(a) whether it is a fact that the Devnagari Script does not at present have symbols for certain sounds in other local languages; and

(b) if so, whether any reform in the script is being undertaken?

The Minister of Education and Natural Resources and Scientific Research (Maulana Azad): (a) This is the view of many experts.

(b) The Government of India have not for the time being undertaken any reform in the Devnagari Script. But recently the Government of Uttar Pradesh had called a Conference to consider the problem of reforming Devnagari Script.

NATIONAL SAMPLE SURVEY

*415. **Shri Bansal:** Will the Minister of **Finance** be pleased to state whether any final conclusions have been arrived at by the National Sample Survey, in regard to the figures of production of foodgrains in India?

The Parliamentary Secretary to the Minister of Finance (Shri B. R. Bhagat): No final conclusions have been reached. A statement explaining the position is laid on the Table of the House. [*See* Appendix II, annexure No. 9.]

ARMY COOKS AND WATER CARRIERS

*416. **Shri T. B. Vittal Rao:** Will the Minister of **Defence** be pleased to state:

(a) whether civilian cooks and water-carriers employed in the military are charged any sum for their food;

(b) if so, what is the amount charged; and

(c) whether the amount so collected is credited to Government funds?

The Deputy Minister of Defence (Shri Satish Chandra): (a), (b) and (c). Civilian Cooks and Water Carriers employed in the Army are not provided with free rations under normal peace conditions.

In some of the Army units, local arrangements exist under which civilian personnel are provided with food at "cost-price", which varies from Rs. 15 to Rs. 20 p.m.

In the Jammu and Kashmir Area, however, free rations are admissible to civilian employees of the Defence Services.

SCHOLARSHIPS TO ARTISTS

*423. **Seth Achal Singh:** Will the Minister of **Education** be pleased to state:

(a) the number of scholarships offered by foreign Governments and institutions to young Indian artists in 1953;

(b) the procedure and rules for such selections; and

(c) whether a degree for an artist is deemed necessary so as to qualify him for the foreign scholarship?

The Minister of Education and Natural Resources and Scientific Research (Maulana Azad): (a) No scholarships have been offered in 1953 exclusively to Artists.

(b) and (c). Do not arise.

NATIONAL CADET CORPS

*434. **Shri Tulsidas:** Will the Minister of **Defence** be pleased to state:

(a) the total number of winter camps of the National Cadet Corps held at different centres in India, this year;

(b) at how many centres the Cadets were required to take part in social work or in Community Project Schemes; and

(c) the details of the work done by them and its approximate money value?

The Deputy Minister of Defence (Shri Satish Chandra): (a) 91 Annual Camps of the National Cadet Corps Units were held from November to January last.

(b) At 26 camps.

(c) These camps were held in all parts of the country and the Annual Camp season has ended only a few weeks ago. Full details of the work completed in each place have not yet been received.

DECLARATION OF ASSETS BY GOVERNMENT SERVANTS

*443. **Shri Dabhi:** Will the Minister of **Home Affairs** be pleased to refer to the reply given to Starred Question No. 611 on the 4th December, 1953 and state:

(a) whether Government have now taken a decision regarding the recommendation of the Planning Commission that public servants should be required to furnish a return each year of movable assets acquired by them or by their near relations during the preceding year, in addition to returns of their immovable properties; and

(b) if so, what is that decision?

The Minister of Home Affairs and States (Dr. Katju): (a) and (b). Government of India have circulated to the State Governments draft rules for the All-India Services which provide as follows:

(a) no acquisition of any immovable property by purchase or gift except with previous Government sanction;

(b) no purchase, sale or disposal of any movable or immovable property exceeding a certain value without prior notice to Government and except through a regular dealer; and

(c) periodical return of all immovable property and a full return at any time, if Government demand, of movable property including bank balances and investments, and if required a full and satisfactory explanation of the means of acquisition.

It is proposed in consultation with the State Governments to promulgate these rules, and as required by the All-India Services Act, 1951, the Rules will be laid on the Table of the House and will be subject to any amendment the Parliament may make. It is proposed thereafter to frame similar Rules to govern the Central Services also.

FOREIGN CULTURAL DELEGATIONS

*444. **Dr. Ram Subhag Singh:**
Seth Achal Singh:
Shri Sivamurthi Swami:

Will the Minister of **Education** be pleased to state:

(a) the total number of foreign cultural delegations which visited India in 1953-54; and

(b) whether any Indian cultural delegation visited any foreign country during the said period?

The Minister of Education and Natural Resources and Scientific Research (Maulana Azad): (a) Four.

(b) Yes.

ASSISTANT CONTROLLERS

*445. **Shri Gidwani:** Will the Minister of **Finance** be pleased to state:

(a) whether Government have advertised for the post of Assistant Controllers to implement the Estate Duty Act;

(b) the number of such posts in (i) Class I and (ii) Class II; and

(c) when Government propose to appoint such officers?

The Deputy Minister of Finance (Shri M. C. Shah): (a) No, Sir. On the request of the Government, however, the Union Public Service Commission advertised for the posts of Income-tax Officers Class II since Estate Duty is to be administered by the officers of the Income-tax Department, and Income-tax Officers will function as Assistant Controllers of Estate Duty.

(b) 179 posts of Income-tax Officers, Class II were advertised in December 1952.

(c) The Union Public Service Commission would conclude interviewing the candidates by about the middle of March and appointments will be made as soon as the selection has been finalised by the Commission.

SOCIAL WELFARE BOARD

*446. **Shri Radha Raman:**
Dr. Satyawadi:

Will the Minister of **Education** be pleased to state:

(a) whether it is a fact that a scheme for supplementing the income of the small-income-group families have been finalized by the Social Welfare Board;

(b) the time when the same is expected to materialize;

(c) the various industries this scheme will cover;

(d) the expected average monthly earning of a woman-worker under this scheme;

(e) the amount sanctioned by Government for this scheme; and

(f) the amount that will fall to the share of the Delhi State?

The Minister of Education and Natural Resources and Scientific Research (Maulana Azad): (a) Yes Sir.

(b) Towards the end of 1954.

(c) It will cover the match sticks manufacturing industry.

(d) About Rs. 22 per month.

(e) The Government has approved for this purpose a loan of Rs. 2½ lakhs and a grant of Rs. 60,000 to a Co-operative Industrial Society Ltd., Delhi.

(f) The amount has not been allocated statewise.

N. C. C.

*448. **Shri D. C. Sharma:** Will the Minister of **Defence** be pleased to state:

(a) whether there is a proposal to send selected Senior Division N.C.C. Officers from different parts of India for a visit to the National Defence Academy during the year; and

(b) if so, the details of the proposal?

The Deputy Minister of Defence (Shri Satish Chandra): (a) Yes, Sir.

(b) It is proposed to send selected Senior Division N.C.C. Officers for a visit to the National Defence Academy, Dehra Dun for a short period every year during the College Vacations to enable them to see the training given at the Academy with a view to improve the standard of their own units.

LOAN TO ANDHRA

*449. **Shri Nanadas:** Will the Minister of **Finance** be pleased to state

(a) whether the Andhra Government have asked for any loan for the construction of road regulator bridge over the Krishna river;

(b) if so, the amount asked for; and

(c) what decision has been taken in the matter?

The Minister of Finance (Shri C. D. Deshmukh): (a) to (c). The Andhra Government asked for a total loan of Rs. 3:75 crores in the half-year 1953-54 for financing the expenditure on their Schemes on Capital Account, including the Scheme for the construction of a road regulator bridge over the Krishna river, and also for meeting a part of their Revenue Budget deficit for the half year ending 31st March 1954. The Government of India have agreed to advance a loan as requested, but have not yet decided which specific schemes should be financed from the loan. This will be decided in consultation with the Planning Commission.

INCOME-TAX INSPECTORS

*450. **Shri Ram Dass:** Will the Minister of **Finance** be pleased to state:

(a) whether it is a fact that there is a difference in the grades of pay of the inspectors of the income tax department compared with those of the Central Excise department; and

(b) if so, the reasons therefor?

The Deputy Minister of Finance (Shri A. C. Guha): (a) Yes, Sir;

The Income Tax Inspectors' scale of pay is:—

Ordinary Grade: Rs. 125—125(Probation) 160—10—330.

Selection Grade: Rs. 250—15—400—20—500.

The Central Excise Inspectors' scale of pay is:—

Ordinary Grade: Rs. 100—prob.—120—8—200—10/2—220.

Selection Grade: Rs. 200—10—300.

(b) The Income-Tax Inspector and the Central Excise Inspector belong to two distinct services and perform functions differing in some degree in onerousness, and responsibility.

SMUGGLED GOODS

*451. **Shri K. C. Sodhia:** Will the Minister of **Finance** be pleased to state:

(a) the total value of smuggled goods seized so far on:

(i) the Sea Frontier, and

(ii) the Land Frontiers of India, during 1953-54;

(b) the total amounts of rewards sanctioned, if any, for this work; and

(c) the total expenditure on the preventive staff during the current year, up-to-date?

The Deputy Minister of Finance (Shri A. C. Guha): (a) to (c). The information is being collected and will be laid on the Table of the House in due course.

CONTROLLERS UNDER ESTATE DUTY ACT

*452. **Shri B. K. Das:** Will the Minister of **Finance** be pleased to state:

(a) the number of Controllers appointed so far under the provisions of the Estate Duty Act; and

(b) whether they have started functioning?

The Deputy Minister of Finance (Shri M. C. Shah): (a) The Estate Duty Act is being administered through the officers of the Income-tax Department. A Controller includes a Deputy Controller or an Assistant Controller. Every Commissioner of Income-tax, every Inspecting Assistant Commissioner of Income-tax and every Income-tax Officer for the time being functioning as such has been respectively appointed as a Controller, a Deputy Controller and an Assistant Controller of Estate Duty. The sanctioned strength both for Income-tax and Estate Duty work is as follows:—

Commissioners of Income-tax 17.

Inspecting Assistant Commissioners of Income-tax 53.

Income-tax Officers, Class I, 486.

Income-tax Officers, Class II, 576.

(b) Yes.

यूनेस्को प्रदर्शिनी

*४५३. **श्री रघुनाथ सिंह :** क्या शिक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) यूनेस्को प्रदर्शिनी भारत के किन किन नगरों में जायेगी ; और

(ख) इस प्रदर्शिनी के आयोजन पर हुआ खर्च कौन देगा ?

The Minister of Education and Natural Resources and Scientific Research (Maulana Azad): (a) Calcutta, Patna, Delhi, Jaipur, Rajkot, Bombay, Nagpur, Hyderabad, Mercara, Waltair and Madras.

(b) State Governments.

Dismissal of former Secretary, Commerce and Industry

*454. **Shri Dabhi:** Will the Minister of **Home Affairs** be pleased to refer to the reply given to starred question No. 96 on the 18th November, 1953 and state:

(a) whether Government have taken a decision on the question of taking further legal action against Shri S. A. Venkataraman, a former Secretary of the Commerce and Industry Ministry;

(b) if so, the decision thereon; and

(c) if not, how long it will take to come to a final decision in the matter?

The Minister of Home Affairs and States (Dr. Katju): (a) to (c): Government have decided to prosecute Shri Venkataraman and a case has already been filed against him.

Translation of Indian Classics

*455. **Shri Radha Raman:** Will the Minister of **Education** be pleased to state:

(a) whether any proposal has been received from the UNESCO for the translation of Indian classics into foreign languages;

(b) if so, the names of the classics that are to be translated; and

(c) the languages into which they will be translated?

The Minister of Education and Natural Resources and Scientific Research (Maulana Azad): (a) Yes.

(b) The following books have been selected provisionally:

(i) Gowdan.
(ii) Krishnakanter Will.
(iii) Kamba Ramayanam.
(iv) Gyaneshwari.
(v) Tukaramache Abhang.
(vi) Kamayani.
(vii) Tirukural.
(viii) Ram Charit Manas.

(c) (i) to (vi) in English and (vii) to (viii) in French.

Auxiliary Cadet Corps

*456. **Shri D. C. Sharma:** Will the Minister of **Defence** be pleased to state:

(a) the progress the Auxiliary Cadet Corps has made so far in the country;

(b) whether any University, other than the Baroda University and any State, other than Delhi State, have taken up the scheme; and

(c) whether any modifications have been made in the syllabus in the light of the suggestions made by the Central Advisory Committee for the National Cadet Corps at its seventh meeting?

The Deputy Minister of Defence (Shri Satish Chandra): (a) Auxiliary Cadet Corps has so far made very good progress. Its strength at the beginning of 1953 was approximately 8,000 and its present strength is nearly 84,000.

(b) The Auxiliary Cadet Corps has also been started in the States of Bombay, Kutch, Saurashtra, Bengal, Bihar, Uttar Pradesh, Rajasthan, Punjab, PEPSU, Tripura, and Coorg. The scheme is expected to be introduced in most of the remaining States shortly.

(c) Yes, the following items have been added in the Training syllabus of the Auxiliary Cadet Corps:—

(i) Fire Fighting.

(ii) Swimming and Life Saving.

(iii) Crowd Control.

PREVENTIVE DETENTION

*457 **Shri Dhusiya:** (a) Will the Minister of **Home Affairs** be pleased to state the number of persons who were detained under the Preventive Detention Act in U.P. during 1953 for black marketing and other anti-social activities?

(b) How many are still under detention?

The Minister of Home Affairs and States (Dr. Katju): (a) Nil.

(b) Does not arise.

अब्दुल रहीम खान खाना का मजार

*४५८ श्री रघुनाथ सिंह : श्री एम० एल० द्विवेदी :

क्या शिक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि निजामुद्दीन में अब्दुल रहीम खान खाना के मजार की मरम्मत की बहुत आवश्यकता है ; और

(ख) यदि हां, तो क्या सरकार भारत के इस महान कवि के मजार की मरम्मत कराएगी ?

The Minister of Education and Natural Resources and Scientific Research (Maulana Azad): (a) No.

(b) Does not arise.

RECRUITMENT TO SERVICES IN LAW MINISTRY.

54. Shri Gadilingana Gowd: Will the Minister of **Law** be pleased to state:

(a) the procedure adopted by Government to recruit officers to the Law Ministry;

(b) whether all the persons are recruited through the Union Public Service Commission or directly;

(c) the number of persons recruited directly and also through the Union Public Service Commission from various States; and

(d) how many persons were selected from the Andhra State after it was formed?

The Minister of Law and Minority Affairs (Shri Biswas): (a) and (b). A statement is placed on the Table of the House. [*See* Appendix II, annexure No. 10.]

(c) (i) Through the Union Public Service Commission: one (ii) From other sources: Five.

(d) Nil.

NATIONAL SAVINGS CERTIFICATES

55. Shri L. Jogeswar Singh: Will the Minister of **Finance** be pleased to state the amount realised by sale of National Savings Certificates during 1953, State-wise?

The Deputy Minister of Finance (Shri A. C. Guha): A statment showing the State-wise figures of sales for the period from 1st April 1953 to October, 1953, is laid on the Table of the House. [*See* Appendix II, annexure No. 11.]

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THE Dated....6.1.2.2014.
PARLIAMENTARY DEBATES
(Part II—Proceedings other than Questions and Answers)
OFFICIAL REPORT

HOUSE OF THE PEOPLE

Friday, 26th February, 1954

The House met at Two of the Clock

[MR. SPEAKER *in the Chair*]

QUESTIONS AND ANSWERS

(*See Part I*)

3 P.M.

MOTION FOR ADJOURNMENT

AIR CRASH IN DELHI

Mr. Speaker: I have received notice of an adjournment motion which is obviously untenable, and I cannot give my consent. Yet, I would invite the attention of the House to the contents or it—"to discuss a matter of urgent public importance, to wit, the recent air crash that occurred at 11 A.M. on the 25th February 1954 near Jamuna bridge."

We will now proceed with the further business.

STATEMENT *RE* PLANNING COMMITTEE FOR ADMINISTRATIVE STAFF COLLEGE

The Parliamentary Secretary to the Minister of Education (Dr. M. M. Das): Sir, while replying to a supplementary question put by Dr. Amin regarding the Planning Committee for the Administrative Staff College, it was stated that the Committee submitted its report in 1950. The Committee which submitted the Report was the Joint Committee of the Board of Technical Studies of the All India Council for Technical Education and that Joint Committee recommended the establishment of an Administrative Staff College. Pursuant to that recommendation, a Planning Committee for the Administrative Staff College was set up in June, 1953. This Committee has not yet submitted its report.

BARSI LIGHT RAILWAY COMPANY (TRANSFERRED LIABILITIES) BILL

The Deputy Minister of Railways and Transport (Shri Alagesan): I beg to move:

> "That the Bill to impose upon the Barsi Light Railway Company, Limited, an obligation to make certain payments to the Central Government, be taken into consideration."

Sir, as the House is aware, the Barsi Light Railway Company was the last of the Sterling Companies operating in India and Government decided in December 1952 to exercise the option under the contract to purchase the Railway by giving a year's notice. Accordingly, after the expiration of the notice period the Railway was taken over on the 1st January, 1954 and is now a part of the Central Railway System.

Government were anxious that in effecting this transfer the service rights of the staff should be protected in respect of reasonable payments due from the Company. Ordinarily, the staff of the Company would have been treated as new recruits to Government service from the date the Barsi Light Railway was taken over by Government. This would have adversely affected them. To remove the

[Shri Alagesan]

hardship and to secure continuity of service to the staff it was necessary that the Company should be required to pay to Government certain sums designed to discharge the Company's accrued liability in the matter of gratuity or what is technically known as the Special Contribution to Provident Fund, and the leave salary of the staff in so far as these two liabilities related to the service under the Company. It was important that the Company accepted their liability in this respect and agreed to have the amounts deducted from the purchase price. There was, however, some legal difficulty. The Company expressed its willingness in November 1953 to accept the liability but pleaded that it was legally incompetent to do so under the English Law applying to the Company which was incorporated in the United Kingdom. According to that Law, the Company was incompetent to make any gratuitous payments from out of the purchase price.

Indian legislation was, therefore, necessary to make it obligatory on the part of the Company to pay out of its assets sums accepted as sufficient to meet the gratuity and leave salary of the staff of the Company who were taken over by Government. Negotiations with the Company and other authorities were finalised during the course of December 1953. As legislative action had to be taken before the end of December 1953, an Ordinance was promulgated on the 31st December, 1953. It is essential that the currency of the Legislation should be extended until the Company's accounts are finally settled and this is the object of this Bill.

[MR. DEPUTY-SPEAKER *in the Chair*]

Mr. Deputy-Speaker: Motion moved:

> "That the Bill to impose upon the Barsi Light Railway Company, Limited, an obligation to make certain payments to the Central Government, be taken into consideration."

Shri S. S. More (Sholapur): Sir, I believe this is not a full-hearted measure; this is only a half-hearted measure. In order to give the background of the Barsi Light Railway Company, I think it desirable to go into the history of this particular Company. This Company, the Barsi Light Railway Company, was incorporated in England on the 11th July, 1895 and had entered into an agreement with the Secretary of State on 1st August, 1895. If we go through the original terms of the agreement and the subsequent working of that agreement, we will find that especially favourite treatment was given to this Company. The total line that this Company has been able to develop is to the tune of about 202 miles. The total capital that this Company has up till now invested in this particular venture is to the tune of two crores and odd lakhs of rupees. (*Interruptions.*) Let me develop my point according to my data. The hon. Member will have his opportunity. My submission is that during this period of about fifty years, this Company had exploited particularly the masses from Maharashtra. You know within this jurisdiction—the jurisdiction of this Company—lies the holy place, Pandharpur, and four times a year pilgrimages are held there and lakhs of persons from different parts of the country, even from very distant places, go to Pandharpur. If we read the history of this Company, we find that the human beings are treated not like human beings, they are treated more like sardines. Trucks, wagons and all sorts of such vehicles were used for the purpose of conveying all these pilgrims.

To cut the matter short, this Company by exploiting illiterate pilgrims who went to Pandharpur, about whose hygienic conditions, no notice was taken by the Company, has amassed a huge reserve fund to the tune of Rs. 90 lakhs. According to the original agreement, the Government of India could have taken it over in 1944 but the period was extended and now this particular Government has ac-

complished it. The main question that arises in this case is: what happens to the reserve fund? What happens to the obligations on the part of the Company to pay certain compensation to their employees? I will give you certain figures. This Company was administered by British directors and British managers. I will give you certain astounding figures. Twenty-four persons who belonged to the management or the directorate drew huge sums amounting to Rs. 2,15,000. This is the annual pay-roll for these officers, for 24 persons while for 1850 persons of the subordinate ranks—their total annual pay-roll went to the tune of Rs. 1,19,000. That shows the great rigour of exploitation practised by those foreign directors. By exploiting the workers, by exploiting the pilgrims and by exploiting even the Government of India, they have accumulated a reserve fund to the tune of Rs. 92 lakhs. This Government has consented to pay them a compensation of Rs. 1,72,000...

Shri Gadgil (Poona Central): No, no; it is much more.

Shri S. S. More: I meant one crore and odd lakhs of rupees. It has accumulated a reserve fund of Rs. 92 lakhs and this Government has agreed to pay a purchase price to the tune of Rs. 1,90,00,000. Now, taking all these figures together what will the Company get? As a matter of fact, this particular bargain which it has struck with the Government of India is a very favourable bargain for the Company itself. What is going to happen to the 18,000 odd workers who have been slaving like anything for furthering the financial cause of this Company? That is the point.

The employees have organised themselves into a union. They started agitation for fair play; they started agitation for getting a fair deal from the Company. But, the Company which was supported by the white bureaucrats of the Government of India never paid any heed to the demands. In 1947, somehow, seeing the change of the Government in this country, the Company agreed to pay to the employees some scales of pay according to the Pay Commission. But that does not end all the demands. When the talk about taking over the control of this Railway Company by the Government of India was started, the Company's employees submitted petitions to the Government, they submitted petitions to the Prime Minister, and they made submissions to the Company itself saying that the reserve fund that the Company had accumulated and even the purchase price that the Company would be acquiring were due to the strenuous and selfless efforts of the employees and therefore they had every right to a share in the reserve fund and other accumulations which the Company had with it. But I am extremely sorry to say that in spite of the numerous mass petitions by the employees, the Government of India never paid any heed to their demands.

On the 24th October, out of despair at the inaction on the part of the Government, the employees served a notice of strike on the Company. And under section 22 of the Industrial Disputes Act it was the foremost duty of the Government to refer the dispute to the proper tribunal under the scheme devised by the particular enactment. But nothing was done. I fail to understand why Government did not move even their little finger. I submitted a letter to the Minister in charge of Labour. Not only that. Some of the M. Ps. coming from Maharashtra, irrespective of their party alignments, submitted a memorandum to the Minister concerned to refer this particular matter to the Industrial Tribunal. But nothing was done.

Now what is the result? The company has ceased to be an 'employer'. Possibly, legal difficulties may arise. The Government of India will not find it feasible at this juncture, after this Company has gone out of this country, to refer this dispute to any Industrial Tribunal, and the employees are left without any remedy.

[Shri S. S. More]

I do not want to take much of the time of the House regarding this matter, but it has been admitted by labour tribunals that when a company goes out of business, if certain reserves are left, the employees have every right to share as partners in the reserves accumulated by the company going out of business. I would in this connection refer you to page 195 of the Labour Law Journal (August, 1953) where the decision regarding the dispute between the Madras Tramway Company and its workers has been quoted. And I will read only one short extract from it. Issue No. 15 was whether the workers have a right to a share in the accumulations of the company:

> "We then come to the claims of the union and association for a share in the company's reserve fund in the event of the company's closure being final and permanent. The management contend that there is really no reserve fund left in cash for the workers' participation. The union and association dispute this and urge that the workers' rights may be determined in this respect, leaving them to enforce those rights if and when they are able to get at the cash reserve funds. The management take no objection to this request. I find the workers' claim to participation in the cash reserves available with the company when it is wound up to be justifiable because the reserves have been created out of the profits realised from time to time and it is but legitimate that the workers should be allowed to participate in them as the profits which they comprise must have been earned with their efforts as much as with the aid of the shareholders' capital and the ability of the management."

Then, Sir, I do not want to read the other portion. They decreed that fifty per cent. of the reserves ought to be distributed to the employees, following the decision given in the matter of Kanpur Electric Supply Corporation Ltd. *versus* their employees, as reported in the 1951 issue of the Indian Law Journal. My submission is what is going to happen to the Reserve Fund? Government by this particular Bill are trying to enforce on the part of the Company to pay certain contributions to the Government of India by way of gratuity and other claims. But my further submission is that this Government must also insist on the Company unloading some of their reserves, paying some portion of their reserves to this Government, which Government will distribute to the employees concerned. That is the point which I emphasise on the basis of this particular judicial decision that I have quoted to this House. Unfortunately there is no demand made by this Government on the Company to this effect, and therefore I have given notice of an amendment making a further claim that this company should also be called upon to pay some portion of their Reserve Fund by way of compensatory bonus to their employees. I may bring to your notice that this Company is entirely a foreign company dominated by foreign capitalists and to the capital of which foreign rich people contributed. The total contribution to the capital is to the tune of Rs. 1 crore. But, if you look into the past history, you will find that the shareholders have been given by way of dividends many times larger amounts than the original share contribution made by them. Why should we allow this Company to take away the profits which have been acquired at the cost of the poor Indians here, both as pilgrims and as servants? I cannot understand why this particular Government should try to protect its interests as against the interests of the Indian people who have a vested right to a portion of this Company's huge accumulations. Unfortunately, the demands of the employees have remained unredressed. Their submissions to the Ministers concerned, their submission to the Prime Minister, have not been responded to, with the result that all these eighteen hundred and odd employees will be found without any

legal remedy against this particular Company. I think, Sir, Government is in duty bound to make amends to the employees who have been taken over. On what terms they have been taken over will be a matter for discussion. I do not want to go into that. But as far as the claim of the employees against the Company is concerned, it is the Government which must take cognizance of that claim and try to protect the claims of the Indian employees—leave aside the pilgrims—and do something to get a large share of the reserves accumulated by this Company.

Shri Frank Anthony (Nominated—Anglo-Indians): Sir, I have given notice of an amendment which reads:

> "The permanent staff of the former Railway Company shall be employed under the Central Government on terms at least not less advantageous than in the service of the Company: the word 'terms' shall include emoluments, rank, status and prospects of the employees concerned."

After hearing Shri S. S. More ....

Mr. Deputy-Speaker: I think this last portion of the amendment is out of order. Anyhow when that comes up, I shall deal with it. This portion is not in keeping with the scope of the Bill. This Bill is confined to the transfer of the liabilities of the Barsi Light Railway Company. Whatever amount has to be recovered from them, they are reimbursing. Other terms and conditions are not here. That is beyond the scope of the Bill.

Shri Frank Anthony: My main purpose in moving this amendment was this. After hearing Shri S. S. More, I feel that it does not meet the needs of the people in respect of whom I was trying to make out a case.

Mr. Deputy-Speaker: I agree. That is a point which the hon. Member may urge upon the Government, that the terms and conditions of their service ought not to be less advantageous. But, the scope of the Bill is quite limited. It is to recover all the gratuities and other sums which the old Company was bound to give to the services. Instead of the Company paying them directly to the employees, because they are no longer in charge of the administration and the employees are not in the service of the Company, Government comes in as an intermediary. Government recovers the amount and pays it to the employees. That is all. As there is no intention here to go beyond any gratuities that have already accumulated, it is only a collecting agency and paying agency. Other terms and conditions on which the officers must be appointed, etc. are beyond the scope of this Bill. At the time of the Railway Budget, the hon. Member may impress upon the Government to do many other things which are necessary. With respect to some of the amendments of Shri S. S. More also, I will say that I do not find them in order, unless satisfactory reasons are shown.

Shri Frank Anthony: Apart from my amendment, may I be permitted to make a few observations? Although I bow to your decision with regard to the amendment, I respectfully submit that the taking over of the particular Railway does impose a corresponding obligation on the Government at least to continue the staff that they are taking over on terms which were not less advantageous so far as their former service was concerned.

Mr. Deputy-Speaker: I agree that it is a very laudable suggestion. That is a suggestion which could be made or ought to be accepted or considered by the Government. But, that is beyond the scope of this Bill. The Bill only refers to the collection from the previous Company and payment to these officers. There is nothing more in contemplation.

Shri Frank Anthony: In respect of payments ...

Mr. Deputy-Speaker: Payments which are already due.

Shri Frank Anthony: Even in respect of that, my fear is this. In taking over this Railway, Government may,

[Shri Frank Anthony]

in its own insidious way, in the same way in which they have done with regard to the employees of other States and other companies, adversely alter the terms and conditions of service. I wanted some assurances from the hon. Deputy Minister that the status and the anticipation of prospects which these people may reasonably expect will be continued under Government management. I respectfully submit that it does arise.

Mr. Deputy-Speaker: They are continued. The hon. Member will kindly refer to clause 3 of the Bill. Sub-clause (b) says:

> "all amounts payable by way of leave salary for such periods of leave as, if the Company had continued to exist after the 31st day of December 1953, it would have sanctioned under the normal operation of its rules to its employees then in service if they had been permitted to proceed on leave on the 1st day of January, 1954 with permission to retire on the expiry of that leave."

That is, the same terms and conditions so far as that particular matter is concerned, are continued. Sub-clause (a) says:

> "all amounts payable as gratuities or as special contributions to provident funds, as the case may be, which if the Company had continued to exist after the 31st day of December, 1953, it would have paid on or after that day under the normal operation of its rules to its employees then in service if their services had been terminated on that day by the abolition of their appointments;..."

These amounts the Company shall pay to the Central Government. This is an obligation of the Company to honour its terms and conditions in pursuance of the agreement entered into with these employees before 31st December, 1953. Clause 4 also which refers to payment of employees says the same thing. Therefore, the scope of this Bill is limited to the extent it goes. There is no departure from the terms and conditions of the employees. This Bill is honouring those terms and conditions. The hon. Member may have apprehensions that all these people may not be taken, or that they may not be taken on those terms and conditions. They are legitimate points for consideration of the Government. But, I am sorry the terms and conditions, not relating to the provisions contained, are certainly beyond the scope of this Bill.

Shri Frank Anthony: I do not wish to go outside the scope of the Bill. I only wanted to make two observations, which, I believe, are very much in point, with reference to the provisions of this Bill. I merely wanted a certain assurance and certain clarifications from the hon. Deputy Minister. Well, as you have rightly pointed out, apparently Government intends to honour, so far as the staff are concerned, all the privileges and the rights which they were enjoying previously under the Company's service. But I want certain clarifications in that respect. I want to know from the Deputy Minister how precisely they intend to honour these. For instance, I would like to know the extent of this guarantee; what kinds or categories of staff this company had and how Government propose to absorb them into their administration.

I will illustrate my fear. For instance, particularly with regard to the upper reaches of categories of staff on Railways like Jaipur and Saurashtra, in spite of categorical guarantees, specific covenants entered into with those Railways that they would continue to employ them on terms not less advantageous than those they were enjoying originally, the Government has been guilty of violating these guarantees and these covenants. And so, in spite of all the guarantees given in this Bill, my own fear is that the

Government will, in actual fact, violate the implications of this particular Bill. For instance—I do not know, that is why I want some clarification from the Deputy Minister—did they have Class I category of servants? If they did, then how do Government propose to absorb them into its own administration?

I will illustrate what the Government has done in certain other Railways—on the Jaipur Railway for instance. I can appreciate this difficulty that when certain foreign units have to be integrated it is not possible to absorb people *in toto* from the point of view of designation, but it should be possible to integrate them from the point of view of their emoluments, of their prospects. What has happened, for instance, in the Jaipur and Saurashtra Railways I am hoping will not happen here. People who were recruited directly as Class I Officers, who were well-qualified for that post on any Government Railway, have now been absorbed. The guarantees given to them have been violated. People who started life as Class I Officers have now been demoted and degraded to Class II posts. I want to know whether this is going to happen with regard to the Barsi Light Railway.

I would like to have one other assurance—whether Class IV and Class III staff will be equated to the conditions of service which have been extended to other sort of independent units like the Nizam State Railway and other Railways where people who are classified as Class IV were, after integration with the Indian Railways, equated in terms and conditions of service to the Class IV staff?

Shri Gadgil: I am glad that after half a century this private enterprise with a virtual monopoly in transport has been taken over by the Government and the bad days the travellers had to experience have come to an end. I have never seen a private enterprise where nepotism was practised on a higher scale as was shown by my friend Mr. More, where there was such indifference to the employees and absolute callousness so far as the passengers were concerned. I am one of those millions of passengers who have travelled from Kurduwadi to Pandharpur and I wonder whether I was a human being or I was a mere commodity or cattle to be put into freight wagons. And the charges that were levied were considerably more than what were levied by the other Railways run and managed by the Government. Only four years ago the passenger rate was increased by 12½ per cent. and the freight rate, I understand, was raised by nearly 10 per cent. while there was no increase anywhere in India. This was allowed I do not know for what reason, because there were no corresponding facilities so far as the travelling public was concerned.

Here is a Company which has been now taken over and the Government of India has been so generous. If this is to be the attitude of Government in acquiring other private enterprises in the future, I shudder to think what will happen. Here is a company with a capital of Rs. 1 crore. In the course of the last fifty years, this capital has been paid back six times over. There is still some undivided profit to the tune of Rs. 150 lakhs. I do not know whether my esteemed friend the hon. Deputy Minister of Railways and Transport has ever travelled from Kurduwadi to Pandharpur on this railway, or has ever seen the dilapidated condition of stations and the benches there; some of these benches, instead of standing on four legs, stand either on three or on two legs. The waiting room arrangements for the passengers are worse than what one could expect to have in a jail even under this Government. All these assets have been valued at Rs. 172 lakhs. I should like to be enlightened on the principles of valuation adopted. I feel that if they had been sold in public auction, they would not fetch even one-tenth of the amount at which they have been valued.

Shri S. S. More: And the land was given free according to the original terms of the Act.

Shri Gadgil: I was just coming to that point. The land on which the railway track stands was taken from the peasants freely, and over and above what was necessary—this you can see even now, if you care to visit that area.

I do not know the relative strengths of the Indian and non-Indian shareholders, for the present. But for the substantial part of the last fifty years, every benefit was annexed by the foreigners. Now that you have acquired it, why should you be so generous in your valuation? Why not value it according to known principles, knowing fully well that it was a monopoly functioning as a monopoly and that Government had given certain concessions to it? If there had been free competition, this Company would have gone to dogs long before.

As for the amendment that was sought to be moved by my hon. friend Shri Frank Anthony, you have given the ruling that it is out of order, and I entirely agree with you. But there are two questions on which I would crave a little indulgence on your behalf, because they concern about 1900 people and their future, prospects. Their fathers and grandfathers have served this Company, and naturally when the present generation entered service in this concern, they had certain expectations, and they should have thought that the course of events that had gone on before would continue. It is a well-known principle of the law of acquisition that as far as possible, established expectations, apart from established rights, ought to be taken into consideration in arriving at the amount of compensation to be paid. What has been done by this Government is good to some extent. It is half-hearted, as my hon. friend Shri S. S. More put it, but I want to add one-fourth more to it, and say it is three-fourths-hearted. I want Government to give a fair deal to those who are to be absorbed.

In this connection, reference was made by my esteemed friend here to the story of absorption, so far as the railways of the former Indian States were concerned. I have still complaints in this regard, and many of them have been forwarded by me to the hon. Minister of Railways. Though nearly six years are over—in some cases, five years are over—nothing has been finalised, so far as their absorption is concerned. Two gentlemen with the same qualification—one entering the Baroda State Service, and the other entering the service of the B. B. & C. I. Railway, having expectations that in due course they will rise to higher posts—suddenly find that because of this political event, they are not able to realise their expectations. No doubt, we all welcome this event, but at the same time, it is our duty to see that the persons, in whose life a sudden change has come, should get reconciled to it by some sort of compensation or some sort of concession in the matter of re-absorption in the bigger services.

Now, so far as the employees of this Railway are concerned, their position before 1946 was absolutely miserable. If you are going to compare what they were getting before and what they were getting afterwards, and if you take into consideration the amount of reserves,—nearly Rs. 72 lakhs—and the amount of undivided profits still there, then you will have to take this circumstance into consideration, namely, that before 1946, relatively, their position in the matter of pay and working conditions and other amenities was considerably less acceptable and positively miserable.

In 1947, in the presence of the Central Government authorities, there was a joint conference between the representatives of the employees of this Company and the directors, or representatives of the directors, with the result that a certain agreement was arrived at. If that was settled then, where is the justification now for degrading certain things, offering other things and considering them as if they are new entrants to be re-employed on the 1st January, 1954?

There is still, I think, an opportunity for the Government to reconsider the whole matter, because they are going to have a set of rules to govern all these matters. I do beseech the Government that it is necessary in the interests of efficiency that those who are employed, and employed not only recently but the fathers of those employees—there is a sort of paternal pride in the service—their feelings should be taken into consideration, and they should feel quite satisfied and not disgusted or disgruntled with the change-over.

The second point which has been referred to by my friend, Mr. More, in whose constituency this particular line lies, is a very important point. The point is that when the asset ceases, when the affairs of the Company have ended, what is the legal right, so far as the distribution of the reserves and other schemes are concerned; and whether the employees are or are not entitled to anything? Mr. More has already quoted the case of the Madras Tramway Company. The same principles were accepted in the case of the Kanpur Electric Supply Co., when it was taken over by the Uttar Pradesh Government. Now, it is so obvious that the profits, whatever they are, are the results of the work put in by the employees from time to time. It may be that a part is due undoubtedly to the capital invested, but no modern economist, no modern politician, can afford to say that after the payment of wages, whatever they are, the employees have nothing to do with that. That is a brazen-faced theory and not accepted by any modern Government. Labour is a factor of production. In fact I would say that whatever surplus value remains after debiting all the expenditure, is due entirely to the labour put in by the labourers. If we cannot claim the whole amount on their behalf, there is perfect justification to say that they are entitled to a considerable part of it. The theory that it is because of the initiative shown by the employers or the entrepreneurs or this, that and the other that is responsible, mainly or fully, for the building up of profit, or, for the matter of that, the building up of the concern, is not correct and is not acceptable.

Now, Sir, what is the position? The same issue was raised, as I said, in the Kanpur Electricity case. The issue was whether out of the reserve fund accumulated by the concern, were any of its employees entitled to any credit by way of profit, and if so, to what extent and under what terms and conditions? I do not want to read the whole judgment, but the fact to be taken into consideration is that this tribunal held that the employees were entitled to 50 per cent. of the reserve as a sort of parting bonus. In this Company also for many years bonus was distributed; for sometime it was not distributed, and the argument, it seems, that was advanced by the Government to the officials of the employees' union of this particular company was that in that particular year, or in those particular years, no profits were earned. Maybe the profits may not have been earned, which is a matter which can be verified by the Government later on. But assuming that for years there was profit, for sometime there was no profit, and then again there was profit, the point now to be considered is this: when this asset has become defunct and it is not to be continued under the same management but taken over, what is the legal position of each party, namely, the employees on the one hand and the Company directors or the share holders on the other? I respectfully submit, Sir, whether you distribute the bonus now or then, the theory behind bonus is that it is a deferred wage. It is only deferred wage, not given today, because the ways and means position does not justify it. But there is a perfect, legally established and accepted theory that bonus is deferred payment of wages. Therefore, if it was not paid in any particular year or years, that does not detract from the validity of the argument advanced that it is money in which the labourers are equally interested and entitled to a share along

[Shri Gadgil]

with the management of the shareholders. Now, the point is what kind of reserve? There are a number of reserves and I do not say in a general way that every reserve should be a matter in which the labourers as such should have some hand or participation. Take, for example, as was suggested in the case I have referred to, reserve for redemption of debentures. Now, after the debenture amount is paid, if the reserve remains, is it not the result of the work done by the labourers, or is there any other economic element which has come into existence and given this reserve apart from the working of the particular plant? That cannot be so. Therefore, in that reserve the labourers or the employees are entitled to have a share, and that was the finding of the tribunal.

Then there is share premium and profit on sale of investment. In some concerns, not only do they finance what they produce or manufacture but they also invest the reserve fund and whatever sum they can in certain other concerns, and earn profit. Now, there is also a sort of reserve which is known as share premium and profit on the sale of investment. Who are entitled to it? The labourers have as much right as the management because the investments were out of the money which is the result of the work in which the labourers have participated. Apart from this, there is no explanation which can be considered as valid.

Then there is the depreciation and renewal reserve. To the extent that renewals were effected, to the extent repairs were effected, certainly it is a matter on which there can be absolutely no difference of opinion. I even go a step further; while the Government have taken over the asset and given them Rs. 1,80 lakhs. I want to know how it was valued. Was it valued as at present? Then there is no necessity for considering the depreciation and the reserve account at all. If it was taken into consideration, we want to know at what rate, and what was the justification for that also. Therefore, even as a matter of....

Acharya Kripalani (Bhagalpur Purnea): It was valued as Government values things.

Shri Nambiar (Mayuram): That is at a low rate.

Shri Gadgil: Not here; the reply will be given there.

So the point is that even in this, the labourers are entitled. Then there is the taxation reserve. Now, the asset has become defunct. So far the Company is concerned, it will not be taxed any more. I do not know whether it can be taxed by way of estate duty. I do not think it will be. But the point is that even in this taxation reserve, they have a right, and also in the general reserve. Now, Sir, in the light of the decision which was given in the Madras Tramway case and in the light of the observations and findings in the Kanpur Electricity Company case, there is perfect justification for holding that the reserve which is Rs. 72 lakhs and also other amounts which are still undistributed, can also be considered as undivided profits in which the labourers have a right, it cannot be denied because the Government of India chooses to say that it has no right. I cannot follow this at all. Here is a genuine trade dispute, an industrial dispute so to say, between the employees on the one hand, and the Company, on the other. Does it mean that because it is taken over by the Government, therefore, the character of the thing has been changed altogether? I cannot accept that proposition. The fact remains that here are the employees who are anxious to claim—and they have actually claimed and have submitted their applications to the Government of India—that this particular issue should be referred to adjudication. I think justice, fairplay and equity require that this Government should accept that request and refer the whole

matter—at any rate this particular issue—to an adjudicator, and, I can assure you, the employees will accept the decision. Whatever view the Government may have in all these matters —after all this, Government is not going to pay anything at all—we are asking you to be fair and generous at the cost of the Company which is going out of existence. Why are you denying that? There is a saying in Marathi—there is no harm in putting a *tulsipatra* in a *halwai's* shop. So, we are not asking any money either from the Railway Minister or the Deputy Minister or the Railway Board—not a farthing. But, in equity and in fairplay, I do beseech the Government that this matter should be referred to adjudication. I do not know if the Government feels that if the industrial court or the adjudicator's court grants some relief that will be a great principle which is going to affect the economics of the Government. But, even if it does, it is a matter of such vital importance, not only for the people at large but for the Government themselves, because in due course, Government will be driven to acquire more and more private enterprises, and if that happens—here will be a guidance that in any acquisition the labourers have a definite right as has been already established. Assuming that the decision may be that out of the Rs. 180 lakhs, Rs. 50 lakhs will not be handed over to the directors to be distributed among the shareholders, they can hold that money till the decision of the adjudicator is given. Therefore, while I welcome the taking over of this railway by Government, I am very critical about the way in which the valuation has been arrived at. If the money has not been paid—and it seems that it has not been paid—then it is time that the valuation is arrived at by an independent agency and not—as seems to have been the case—by the officers of the railway company and the officers of the Railway Board sitting across the table. I am not suggesting anything, I assume that both the parties have dealt with the problem in a very nice, gentlemanly way. But the point is, people have to be convinced. Those who have seen the assets of the company feel that the price that has been offered or has been decided to be offered is much too much. After all, it is our money. Government is a trustee, and therefore it must act with that measure of diligence and carefulness which the provisions of the Trusts Act require. I have suggested a *via media*. It is not a question of prestige at all. Let Government say that they would refer the matter to an adjudicator or an industrial court. The agency may be the one or the other. Till that agency comes to a decision, withhold payment at least to the extent of 50 per cent. of the reserve and other amounts.

Shri T. B. Vittal Rao (Khammam): Here is another glorious example of our Government's weak-kneed policy towards British capital. The Nizam's State Railway, the Gaekwad's State Railway and other State Railways were taken over, and was any compensation paid? No. The total cost came to the tune of Rs. 64 crores, but not a single pie was paid, whereas in the case of this railway a sum of Rs. 1,89,00,000 is going to be paid. This is in spite of the company making good profits during its fifty-five years of working.

What were the amenities given by this company? Whenever anybody travelled, he had to travel in wagons like cattle. That was the amenity provided by this company and that is how it made such huge profits. What is surprising is that a reserve of Rs. 72 lakhs which is with this company is not being transferred to Government. In addition to taking huge dividends, in addition to charging huge amounts to its Depreciation and Revenue Reserve Funds, this reserve has been built up by the company. It is but reasonable that this accumulated reserve should also be taken over by the Government. That is why, I have given notice of an amendment to that effect.

Regarding bonus, I fully agree with the previous speaker. When the

[Shri T. B. Vittal Rao]

Nizam's State Railway was transferred from the company's hands to the State Government. bonus was paid. So, this demand for bonus is not new. During the days of company railways, the workers were very much exploited. Their condition has improved to a certain extent only after 1947; prior to that it was very bad. The previous speaker has explained the legal aspects and referred to the judgments. I have quoted past examples. This demand is a legitimate demand and must be met.

Now, take this railway line itself. The whole of these 202 miles will have to be re-done, if not within this year, at least within two years. The whole of the line must be torn up and a new metre gauge or broad gauge line should be installed.

If you have a proper valuation, the whole of the stock with this company will not be Rs. 1,89,00,000. It will not be proper for us to pay this much of compensation. Wherever there is British capital, because they have looted and exploited us, they should not be paid any compensation; their property should be confiscated. Unless and until that is done, the economic stranglehold of British capital will not be removed and there will not be any industrialisation. This is a fundamental thing. Whenever we mention some development work, Government say that their ways and means position is not good and therefore we cannot have any development. In view of the fact that within two or three years the people in this particular area are likely to demand the putting up of a metre gauge or broad gauge line in place of this narrow gauge line, I suggest that this amount should not be paid.

There is another thing. When the Government had decided to take over all the State-owned Railways as from 1st April 1950, why was not this particular railway taken over? Why was it given an extension till the end of 1953? Perhaps, it is due to our membership of the British Commonwealth of Nations. This company has today the audacity to say that it will not pay gratuity or provident fund to its employees, whereas when others had been taken over they were made responsible for meeting these liabilities. During the last so many years, this company has enjoyed many privileges, but it did not pay any income-tax on the profits made by it. The Government railways were charging a uniform rate of three pies per mile, whereas this railway was charging four pies per mile. This is how it has been treating its passengers.

Every year we allocate some Rs. 30 crores to the Depreciation Reserve Fund and several more crores for the Revenue Reserve Fund. In the case of this company, it has also allotted its own funds. Therefore, whatever reserves have been accumulated should be taken over and the workers should be paid a bonus.

4 P.M.

Coming to service conditions, when the States Railways were taken over, some of the conditions in the States Railways were more favourable. It is natural that those advantageous conditions which prevailed at the time of the taking-over should not be denied to the employees. You should not ask people to opt for one or the other of the conditions. Continuity of service must be maintained. When the other States Railways were taken over, you did not say, as you do in the present case, that these people will be treated as if they were re-employed as from 1st January 1954. It is completely unjust to say so. The same treatment which was accorded to the employees of the recently integrated State Railways should be accorded to the employees of this Railway too. Not a single worker should be retrenched and all the workers who have been in the employ of that Company should be retained. Simply because the Railway has changed hands Government should not say that they would keep only those employees who are found suitable. I know today that the Railway Board is thinking of re-

trenchment. So they may as well say that the staff which are found surplus on the other railways would be absorbed in the vacancies arising on this Railway by the discharge of workers. But this would not be fair to the workers in the employ of the company.

Then again, the seniority of the employees of this Railway should be safeguarded as was done in the case of the other integrated railways. In those cases we had no difficulty in preparing seniority lists and after two or three years a formula was evolved. I do not mean to concede that that formula was right; but all the same we evolved a formula about fixation of seniority.

Lastly, Sir, I would suggest that until and unless the Company makes satisfactory payment towards provident fund, gratuity and bonus of the workers and also railway reserves, we should withhold payment of any compensation. We can even go to the extent of telling them that the railway is now useless and we are not going to work it. I may tell the House, Sir, that within one or two years the railway has to be dismantled and new lines have to be laid.

श्री पी० एन० राजभोज (शोलापुर—रक्षित—अनुसूचित जातियां) : डिप्टी स्पीकर साहब, मैं मिनिस्टर साहब की खिदमत में केवल दो तीन सुझाव रखना चाहता हूं । सब से पहली मांग तो मेरी यह है कि बरसी रेलवे लाइन पर जो हमारे भाई लोग, वर्कर्स लोग काम करते हैं उनको पचास परसेंट बोनस मिलना चाहिये । यह बरसी रेलवे बहुत पुरानी है और गवर्नमेंट के कब्जे में आने से पहले अभी तक इस पर अंग्रेज लोगों का कब्जा था । गवर्नमेंट ने इस अंग्रेजी कम्पनी, बरसी लाइट रेलवे को इनकम-टैक्स में काफी छूट दे रक्खी थी और दूसरी सहूलियतें दे रक्खी थीं जो कि नहीं देनी चाहियें थीं । दूसरी बात जो मैं अर्ज करना चाहता हूं वह यह है कि बरसी रेलवे लाइन अभी तक छोटी लाइन है, और चूंकि इस लाइन से पूना, बिहार और मध्यप्रदेश के यात्री सफर करते हैं इसलिये इस रेलवे लाइन को मीटर गेज बनाने की बहुत आवश्यता है । इसके अलावा जो रिजर्व फंड है, उसमें से मजदूरों को बोनस ज्यादा मिलना चाहिये । उस रेलवे में बड़े बड़े अफसर तो आप रक्खे हुए हैं और हमारे गरीब मजदूरों को रिट्रेंच करने की कोशिश हो रही है, यह तो बहुत अन्याय उन के साथ हो रहा है, आप ऐसे बड़े बड़े अफसरों की जिन की सर्विस काफी हो चुकी है, उन को आप निकाल सकते हैं, लेकिन मजदूरों को नहीं निकालना चाहिये । दूसरे उस रेलवे में हमारे शेड्यूल्ड कास्ट के भाईयों का रिप्रेजेंटेशन ठीक ठीक होना चाहिये, गवर्नमेंट को इस ओर विशेष ध्यान देना चाहिय और बम्बई रेलवे पब्लिक सर्विस कमीशन में भी उनको उचित प्रतिनिधित्व मिलना चाहिये ।

Mr. Deputy-Speaker: All that is not relevant for this discussion. This measure confines itself to the distribution of gratuities.

श्री पी० एन० राजभोज : गाडगिल साहब ने भी तो इस का जिक्र किया था..... .

Mr. Deputy-Speaker: Kakasahib may have said it. But even that is irrelevant. The point is the employees of the previous railway have earned certain gratuities and deposited some amount in the provident fund. This amount is sought to be recovered from the previous Company by Government and passed on to the employees. That is the small point covered by this Bill. All the other considerations may be very good independently of this Bill, but they are not relevant to the discussion.

[Mr. Deputy-Speaker]

I take it the hon. Member has nothing more to say.

Shri Nambiar: His contention is that all staff, including the Scheduled Castes should have equal treatment.

श्री पी० एन० राजभोज : मैं जानता हूं कि मेरे कम्युनिस्ट भाई को हमारे साथ सहानुभूति नहीं है। मेरी सरकार से प्रार्थना है कि इस रेलवे के पास जो बहुत सी जमीन पड़ी हुई है, वेस्ट लैंड पड़ा है वह जमीन गरीब लोगों को मिलनी चाहिये। इस के अलावा यह जो एक करोड़ और अस्सी लाख रुपय देना है, उसका ज्यादा से ज्यादा बंटवारा हमारे गरीब लोगों के लिय होना बहुत आवश्यक है और साथ ही यह भी बहुत जरूरी है कि हमारे जो मजदूर वर्कर्स हैं उनको रिट्रेंच नहीं करना चाहिये।

Mr. Deputy-Speaker: The hon. Member suggest that the gratuities earned by the various employees ought not to be paid to them but should be distributed to Scheduled Castes people.

श्री पी० एन० राजभोज : मैं ने तो सब वक और मजदूरों के लिये ऐसा कहा है। बस मैं और अधिक न कह कर समाप्त करता हूं और उम्मीद है कि मिनिस्टर महोदय मेरे सुझावों को स्वीकार करने की कृपा करेंगे।

Shri R. K. Chaudhuri (Gauhati): Sir, I certainly welcome this as a piece of commendable legislation. I think it should be a part of the policy of the Government that as soon as practicable all private railway lines which are now operating in India should be taken over by the Government, I do not grudge this railway being taken over and the advantages that would accrue to the people of the Bombay State. But I want to know what has been done in this connection with regard to the various private lines which are even now operating in West Bengal, namely Arrah-Sasaram Light Railway and Barasat-Basirhat Light Railway about which mention was made on the floor of this House by our Deputy Minister Mr. Guha. In this connection I should like to express my gratitude to the Government taking over the famous T. B. Railway,—the Tezpur-Balipara Railway in June 1952. My hon. friend on my right was complaining that in this Railway the passengers had to travel in wagons instead of in railway compartments. But I should like to tell him that we have been running the Tezpur-Balipara Railway on somewhat co-operative lines where the passengers also lend a helping hand in moving the train. Passengers had to get down at a particular place and they pushed the train so that it could go. We had run that line on a very co-operative basis! I think hardly a complaint was mentioned that the passengers had to travel in railway wagons. What I want to know from the hon. Minister is this: what are the terms on which the staff of the Tezpur-Balipara Railway had been taken over by the Government? Are the terms as favourable as they have been given to the other Railway staff or are they less favourable? I am constrained to ask that question because everything that concerns Assam is always treated in a stepmotherly fashion. I want to know whether we are going to place it on the same footing as the Government is doing in respect of the staff of this particular Railway.

I also want to talk on another thing —it may not be quite relevant but I should mention it. I wish to draw the attention of the hon. Minister to this that there has been no improvement in that line of the Railway—Tezpur-Balipara Railway, no line of improvement of which we had such rosy hopes. We thought that as soon

as Government takes over these lines, we shall see a real and material improvement, a substantial improvement; but, so far as my information goes, that improvement has not taken place for the benefit of passengers as yet.

I have nothing more to say. I will only ask the hon. Minister—advise the hon. Minister, rather—to treat all these things on the same footing. No differential treatment ought to be made between the staff of the Tezpur-Balipara Railway and the staff of Barsi Light Railway, which seems to be very much if the speech of my hon. friends there could be considered. It seems to me that the Government has an extra soft corner for this particular Railway. What I want to say is that the Government should not be partial. I think they would not be partial and would take into consideration the staff of the Tezpur-Balipara Railway in these things.

Mr. Deputy-Speaker: I would ask hon. Members not to take more than five minutes.

Shri Nambiar: Sir, there are very important points.

Shri V. B. Gandhi (Bombay City—North): Sir, almost all the speakers who have preceded me, with the exception of Shri Frank Anthony and the last speaker, Shri Chaudhuri, have made a point to suggest that Government should do something to secure from the Barsi Light Railway Company payment of 50 per cent. of the reserve for the benefit of the workers of that Railway. I am all for anything that can be done to benefit the workers; but in this particular case a point has been made by all the speakers that preceded me justifying it on all possible grounds, on the ground of economics, on the ground of certain legal decisions, certain awards of industrial courts, and on grounds of equity, social considerations and all that. I am one of those who although sympathising with the objective in this case, am unable to agree with the reasoning and also with the economics of their claim. Much is made about the award given in the two cases of the Kanpur Electricity Company and the Madras Tramways Company by the industrial courts who dealt with those cases. But we should also remember that there are other awards given by other industrial courts in similar matters which have not accepted this principle of the workers' claim for a share in the reserve. I am one of those who feel seriously disturbed at this kind of doubt thrown on a perfectly, and economically sound position in respect of reserves. If we must do something for the benefit of the workers surely it should be done and there could be other ways without trying to make a dangerous precedent of this kind. The hon. Member, Shri N. V. Gadgil, has suggested that in this particular case the matter should be referred to an adjudicator or to an industrial court. I really do not know at what stage the negotiations between the Government and the Company now stand. If it is possible to do that, to follow the course suggested by Shri N. V. Gadgil, I would certainly urge the Government to do so. In this case some of us who would have liked to deal with this subject a little more intelligently, are suffering from a handicap and that handicap is that the Government has placed in our possession information which is very meagre. Since yesterday I have been trying to locate how exactly the matter stands in respect of negotiations. It is a very important matter; it is a matter which involves crores of rupees; which involves the transfer of the Railway Company from private management to the Government. What information do I get? Here in this Bill, in the objects and reasons for the Bill, we know what we have been given. It is so precious little. Then, I thought I would find some information in the Railway Board's Annual report which was circulated to us only last week. I find that the Railway Board's report disposes of this very important matter in exactly three and a half lines and

[Shri V. B. Gandhi]

this is the information we get from that report:

> "It was decided to purchase the Barsi Light Railway with effect from 1st January 1954. This is a narrow gauge line 202·57 miles long operated by the Barsi Light Railway Company Ltd. incorporated in England."

On the basis of this precious information, what answer are we to make to those friends here who are making those novel suggestions of claiming a share in the reserve for workers? Government could certainly have anticipated that a discussion on this and other relevant matters was bound to come up before this House and it would certainly have helped us if the Government had given some idea as to the stage at which the negotiations at present stand and also as to what are the bases of the valuation and what are the salient features of the agreement under which this transfer is taking place.

Finally, I would repeat that anything that can be done to promote, and to secure, the interests of the workers should by all means be done, but as regards this new principle of justifying a share in the reserve on economic grounds, I am sorry to say that some of us are very sceptical.

Shri Nambiar: Sir, I wholly agree with the points raised by my hon. friends Shri Vittal Rao and Shri Gadgil. Added to them, I want a clarification from the hon. Minister, and that is this. In clause 4 of the Bill it is stated that "the moneys paid to the Central Government under section 3 shall be utilised by the Central Government to effect payment to employees of the Company re-employed by the Central Government ... etc." The question of re-employment does not arise here at all. These employees were already in employment, they were in service under the company management. Today they are transferred to a new employer or a new manager. That does not mean that these men are to be re-employed. They continue in employment and they must have all the benefits to which they are entitled under the previous management. But it is not clear here. Therefore I want a clarification from the hon. Minister that they will continue in their service and that the continuity will be there for calculation of gratuity, provident fund and all other benefits. They say that certain provisions are to be made and money is required. To what extent that advantage will go to the employee, I must know. If the Government take the stand "we were nowhere in the picture, we are coming into the picture only now, therefore their employment previous to this cannot be taken into consideration"—if that is the attitude of Government, we cannot accept it. They must have the continuity of their service and all the benefits accruing therefrom.

Coming to the question of bonus, here is something like the liquidation of a company. The assets and liabilities are to be taken over by the new employer. When that is done and when the company take all the dividends and also gets value for the scrap material that is left, why should they not be asked to give a portion of their profits to the employees in the form of bonus? Certain friends on the other side are saying that they cannot understand the question of paying bonus. Of course they cannot! Employees for having put in long service must have a claim on the profits, and that is what is known as bonus. And they are claiming it. If hon. Members on the other side say they cannot understand what is the principle of paying bonus, that is a very strange position. We find in the Statement of Objects and Reasons no provision for bonus; only gratuity and provident fund are provided for. I therefore strongly press that there must be an additional provision for payment of bonus to the employees.

Coming to the last point, namely the question of reserves, the company

is taken over by the Government of India. There is a reserve kept for the future advantage of the company. Hereafter that Barsi Light Railway Company does not exist. Then the reserves naturally should flow to the new management. When the assets and liabilities are taken over, whatever reserves there are in cash go to the Company and the scrap material goes to the Government of India! I cannot understand the principle. Behind this way of dividing the assets and liabilities. Therefore the reserves also should go to the Government of India, legitimately they are entitled to them, and there is no justification on the part of the Government of India to relinquish their claim on the reserves.

Sir, these are the important points that I wanted to make and the hon. Minister may be pleased to satisfy on these points.

Shri U. M. Trivedi (Chittor): Sir, on a point of information. In the Statement of Objects and Reasons to this Bill it is mentioned that for the purpose of continuity of service of the employees this imposition is to be made. When the word 'continuity' has been used there, why has the word "re-employed" been used in clause 4? What is the idea behind it? The hon. Minister may kindly enlighten us on that point.

Shri Alagesan: Sir, I thank the hon. Members for their valuable observation though I think much of it fell beyond the scope of the Bill.

Some Hon. Members: Sir, the Minister is not audible.

Shri N. V. Gadgil: There is enough of catering on the Railways; speak loudly.

Shri Alagesan: When I was hearing Shri More I felt that that speech should have been delivered before 1952 December. In fact, he was pleading that this railway, where travel conditions are so difficult, should be taken over by the Government. Shri Gadgil has been pressing upon this House and the Government that this line should be taken over by Government. It was decided to give due notice under the contract and then take over this railway. It has been taken over and it is being worked by us from 1st January, 1954.

After we have taken it over we have seen to it that the travel conditions are made as comfortable as possible. I may tell the hon. House that we have sent there about fifty more coaches from the various Railways and those coaches are being used on this particular line.

The point was raised whether bonus should be given and whether the reserves which have accrued as a result of the labour of people who have worked that railway—whether a part of it at least—should go to the workmen. Here it is a very short point, and within the few minutes at my disposal I think I should not labour it too much. Sir, this is governed by an agreement. Under clause 43 of the contract dated 1st August, 1895 the purchase price payable to the Company in England, in sterling, is to be a sum equal to the total amount of capital expenditure in sterling incurred by the Company with the sanction of Government on the undertaking, capital expenditure in rupees being converted into sterling for this purpose, in accordance with the arrangements from time to time mutually agreed upon.

Shri S. S. More: Sir, since he has referred to the agreement, will it be laid on the Table of the House?

Shri Alagesan: As per this agreement we have no claim to the liquid assets of the Company. We have to pay the purchase price and take over the other assets. We have a claim only to them.

The other points, I should think, are not very relevant. It was said that it is after.....

Mr. Deputy-Speaker: Will the House have a copy of the agreement?

Shri Alagesan: Sir, even now I have got the full text of clause 43 of the agreement. But it is put in legal

[Shri Alagesan]

language, is very involved, and I think no purpose will be served by my reading it out.

Mr. Deputy-Speaker: Not now. A copy may be placed in the Library so that whichever hon. Member wants to see it may be able to do so.

Shri Alagesan: Most surely, Sir. a copy of the contract may be placed in the Library.

Sir, in this connection I would like to urge only one point which is very relevant. Maybe we are now in a position to run railways efficiently. There is no difficulty about it. But still we are in the stage of inviting foreign capital to participate in the industrial development of our country. That aspect, I think, has been very lightly brushed aside. Especially I was surprised that the hon. Member Shri Gadgil, who has got such a long experience behind him, should have lightly thrown a suggestion: why not be generous at another man's cost. At this stage when we want to invite foreign capital and want to take their aid, I think we should not do anything which should disturb their confidence. (*Shri S. S. More*: Whose confidence?) in our ability to respect contractual obligations, (*An Hon. Member*: British and American imperialists!) That should be my answer to the question posed by several hon. Members.

The question of the Tramway Company in Madras, etc. was brought into the picture. As you are aware, Sir, there the company has ceased to exist. It has gone out of existence.

Shri N. V. Gadgil: This Company has also gone out of existence. Why don't you agree to adjudication?

Shri Alagesan: I mean the service itself has gone out of existence in Madras, whereas this is continuing.

Shri S. S. More: What about the Kanpur Electricity Company?

Shri Alagesan: I have no knowledge of that particular company, Sir.

The question of staff was raised. I may inform the hon. Members that all the staff, almost all of them, are being taken over. A committee went into this question of staff and they have all been fitted into the various grades. Almost all of them have been re-employed or taken into service. There is absolutely no dislocation in that sense. This naturally leads to the question, supposing the services of those employees had ceased on the 1st day of this year, then what are the amounts that would have been payable to them by the Company under these various heads, gratuity, leave reserve and so on? That we are recovering from the Company. A question was raised whether the company had been paying income-tax. Surely, they have been paying, and last year they paid to the tune of Rs. 5 lakhs.

Shri T. B. Vittal Rao: We want to know, for the whole fifty years how much they have paid.

Shri Alagesan: I do not know the figures for half a century. I have got only the figure of last year and I think I can only inform the House of that.

There is nothing more for me to add as I am anxious that this Bill should be passed today.

Mr. Deputy-Speaker: The question is:

> "That the Bill to impose upon the Barsi Light Railway Company, Limited, an obligation to make certain payments to the Central Government, be taken into consideration."

The motion was adopted.

Clause 2 — (*Definition*)

Mr. Deputy-Speaker: I will now take up the clauses.

The question is.....

Shri S. S. More: I will take only five minutes, Sir. There is an amendment by me given to the Preamble.

Mr. Deputy-Speaker: I know. The Preamble comes last.

An Hon. Member: It is already 4.30 P.M.

Mr. Deputy-Speaker: Let me proceed. Whatever time is taken up now in the unofficial period, that will be made good after seven o'clock.

Shri Gadgil: This railway was never known for any speed, but the Bill in respect of the railway is rushing swiftly.

Mr. Deputy-Speaker: Hon. Members went on as slowly, if not more slowly, as the railway. As a matter of fact, there is nothing here. The amendments are all out of order.

Shri S. S. More: You promised to give me time on that account. Have you changed your mind like the management of the Barsi Railway?

Mr. Deputy-Speaker: Let not the Chairman be compared to any of these things. Now I have been compared to the management of the Barsi Railway. Let it go. I merely gave my first impression. I am giving the time.

The question is:

"That clause 2 stand part of the Bill."

The motion was adopted.

Clause 2 was added to the Bill.

Clause 3.— (*Payment by Company to the Central Government*)

Shri S. S. More: Sir, I will take some time.

An Hon. Member: Do please.

Mr. Deputy-Speaker: Order, order. We are on the point of order.

Shri S. S. More: I want to satisfy you.

Mr. Deputy-Speaker: First of all let me state my doubts. There are two items here, gratuity and provident fund. Bonus is not an item which is contemplated in this Bill. How is it relevant to introduce this amendment?

Shri S. S. More: In order to satisfy you, Sir, on this particular point, I would refer you to rule No. 117 of the Rules of Procedure. But as we are to go to another business, will it not be much more convenient to adjourn it to the next day because, otherwise, I will have to hurry up with the arguments.

Mr. Deputy-Speaker: This will stand over.

MOTION *RE* FIRST REPORT OF THE COMMITTEE ON PRIVATE MEMBERS' BILLS

Mr. Deputy-Speaker: The House will now take up the other matter. There are four Bills relating to amendment of the Constitution. There was a motion moved by Shri Altekar that the House agrees with the First Report of the Committee on Private Members' Bills. Mrs. Renu Chakravartty could not finish her speech the other day. She wanted a few minutes more. The House was impatient, but she wanted to have some more discussion. The Chair agreed that it can be continued the next day and finished within five minutes. That order stands, that agreement stands.

Shrimati Renu Chakravartty (Basirhat): Mr. Deputy-Speaker, I would like to bring one point to your notice and that is that the recommendations which have been made in the Report actually go against both the spirit of the Constitution and the rights granted under the Constitution as well as the rules of procedure guiding the functions of the Committee to examine Private Members' Bills. According to article 368 in the Constitution every Member has the right to amend the Constitution and the only limitation put by the Constitution is that it is required to have two-thirds of the Members of the House present and voting. Beyond that nobody else can put any sort of limitation on the right of Members to bring forward amendments to the Constitution. Now, on that ground the Rules of Procedure have been framed. I would like to say that the functions of the Committee, as they have been enumerated, are, firstly, to examine every Bill seeking to

[Shrimati Renu Chakravartty]

amend the Constitution, notice of which has been given by a private Member, before a motion for leave to introduce the Bill is included in the list of business. That is the most important clause. The right has been given to examine before the motion for leave to introduce the Bill is included in the list of business. There is nothing, therefore, to say that the Committee has a right to make a recommendation of the nature whereby it can limit the right of a Member to introduce that Bill. All it can do is, maybe, go into the drafting of the Bill, whether it is correct or incorrect. They can even call upon the Members for a discussion with them, as laid down also in the procedure. They can have a discussion and tell them their opinion, but the final authority remains with that particular Member, whether he wants to introduce the Bill in Parliament or not. No recommendation of any nature can be made to the House by the Committee that the Member should not introduce the Bill, whatever may be the reasons given for it. Therefore, I say, Sir, that the recommendations made by the Committee are not correct, and that they cannot be voted upon.

The other point which I would also like to say is that there are certain powers and privileges given to Members of Parliament according to article 105 (3), and I think that the recommendations made here also go contrary to the spirit of that article. Therefore, I really do not see how we can even ask this House to vote on this. This is outside the scope of the functions of the Committee and as such I would urge that this particular report should not be accepted by this House. The only two recommendatory clauses which have been laid down when enumerating the functions of the Committee are, sub-clause (c) and sub-clause (e) of Rule 44. Sub-clause (c) says:

> "to recommend the time that should be allocated for the discussion of the stage or stages of each private member's Bill and also to indicate in the time-table so drawn up the different hours at which the various stages of the Bill in a day shall be completed".

I say, Sir, that this is perfectly within the jurisdiction and powers of the Rules of Procedure. It is something that helps the procedure, helps the proper functioning and does not hit at the fundamental rights granted by the Constitution. Look again at sub-clause (e). There again the only recommendatory power given to this Committee is "to recommend time-limit for the discussion of private members' resolutions and other ancillary matters". These are the only two sub-clauses in which recommendatory powers have been given. Besides that the only other powers given are the powers of examining but not making any recommendations which will be voted upon by this House. Therefore, Sir, I submit to you within the time-limit which you have given me, that I would like to oppose this motion; especially the first part of it should not be placed before this House and there should be no question of voting upon it.

Lastly, I would like to say a few words about the opinions given in the report about the Bills. I have already stated earlier that we were not a party to the making of the Constitution. We accept certain parts. Certain other parts we would like to be amended. It is on that basis that we have been elected. We have got the mandate of the electorate to change them or try to change them and bring before this Parliament certain very necessary amendments of the Constitution. Therefore, it is our right that we should do so. For instance, take the Bill which has been brought forward by Shri M. S. Gurupadaswamy. That raises the question whether the Governors of States should be appointed by the President or whether they should be elected. The elective principle is a democratic principle. I believe that in the Constituent Assembly there was a great amount of debate and discussion on it and finally it was decided that the Governors should be

appointed. Well, that was the onus of the Constituent Assembly. Now, new Members have come in; new parties have come in; a new section of public opinion has been created. Certainly we have the right to bring forward before the House amendments if we consider it necessary that the elective principle should be introduced. I think that with such powers as are given, the Governor should, as far as possible, be above party and local politics. As you know yourself, Sir, the Speaker himself said that he is a partyman, that he is a Congressman. We know very many Governors are directly political beings and members of the Congress party like Shri Munshi and Shri Sri Prakasa. The Members on the other side may certainly think that as soon as they go up the pedestal and sit in the Governor's chair, automatically they become non-party men. We are not prepared to accept that. Therefore, we say we are not prepared to accept such clauses. Take the Bill No. 124 of Shri S. V. Ramaswamy. Here is a case in which I think the examining powers of the Committee have been fruitful. They have called Shri S. V. Ramaswamy; Shri S. V. Ramaswamy may have said, I do not need to introduce this Bill. The Committee must have been able to persuade him and tell him that it is an unnecessary Bill. But, where there are people who do think that it is very necessary and politically important to bring forward these Bills, I do say, that nobody can curb that right or limit that right.

Lastly, about the allotment of time for the Bills. I do submit that allotment of time is something that is within the purview of this Committee. The report says:

> "The Committee also consider that in regard to Bills which had been introduced and taken up for consideration in the House the maximum allotment of time for consideration and subsequent stages of such a Bill should be four hours."

I should like to put it to the House that no such generalisation should be made. We have to determine and distinguish between Bill and Bill. If these are very important Bills, certainly, they should have more time allotted to them. I believe that this is a general rule that you have enunciated. But, I do think that it should be generally four hours, but where the Bills will be regarded as more important, further time may be allotted to them. Some such clause may be there because we have to decide taking into consideration the importance of the Bill from all these points of view. Therefore, I place before you my motion that we should not accept the motion of the Committee on Private Members' Bills.

Mr. Deputy-Speaker: Shri M. S. Gurupadaswamy.

Shri M. S. Gurupadaswamy (Mysore): Sir, ...

Mr. Deputy-Speaker: Has the hon. Member tabled any amendment?

Shri M. S. Gurupadaswamy: No; I have got one Bill.

Dr. Krishnaswami (Kancheepuram): On a point of order, Sir, this is an important matter which is being discussed. The Minister of Parliamentary Affairs is not present here.

Shri Nambiar (Mayuram): He is busy with extra-Parliamentary business.

Dr. Krishnaswami: There is not even a Minister.

Mr. Deputy-Speaker: There is a Minister now.

Dr. Krishnaswami: Somebody must be present here when we are discussing an important matter. (*Interruption.*)

Mr. Deputy-Speaker: Order, order. I agree. I should think that the hon. Minister who is responsible and who is going to answer must stand by this motion. Of course, the motion was made by Shri Altekar. Government also, if they want, must have a say in the matter, because they oppose these Bills. I thought that the hon. Home

[Mr. Deputy-Speaker]

Minister was here to reply to this matter. I do not know who is responsible for this.

Dr. N. B. Khare (Gwalior): Is there any epidemic among the Ministers in Delhi?

Mr. Deputy-Speaker: Ministers are also Members.

Shri Natesan (Tiruvallur): We are here Members of the Committee on Private Members' Bills. We, all of us, represent the general body of Parliament on the Private Members' Bills Committee. Every one of us will be able to answer the points raised by the Opposition. I do not think it is such a serious matter that a Minister must be present here.

Mr. Deputy-Speaker: There must be both sides placed before the House. First of all, let us understand the scope of the question. To the best of my ability, I want to say in a few words what the scope of the matter before the House is. The hon. Member Shrimati Renu Chakravartty said that this curtails the right of the Members. This does not curtail the right of the Members. Certainly, nothing can be framed by way of a rule which is opposed to the Constitution. No power is given to any person including the Speaker to take away the rights granted by the Constitution. What are the rules? A number of Bills were waiting for introduction. Some of them had absolutely no chance of being introduced at all. First, a rule was framed that preference should be given to all Bills at the introduction stage, and that they need wait until other Bills which have been already introduced and which have reached the stage of consideration are disposed of. The former provision under which there was no chance for many of these Bills was dispensed with. Hon. Members, including Shri Nambiar, from time to time, were asking me to frame a rule under which, at the introduction stage, the Bills need not be delayed so that the Members may know what further steps should be taken. Today, all the Bills of which notice has been given may be introduced without waiting for the disposal of other Bills which have already been introduced and with respect to which notice of motion for consideration has been given. That is one step in advance. So far as the Bills relating to the amendment of the Constitution are concerned, one small recommendation is made. It is only recommendatory as hon. Members may be aware. On an earlier occasion when another Bill relating to the amendment of the Constitution was placed before the House by a non-official Member, the hon. Prime Minister said that he would like to look into the matter so that he may oppose it at the introduction stage, or allow it. What does the rule contemplate? This Committee goes into those Bills, which relate to the amendment of the Constitution, at the introduction stage and makes a recommendation to the House. This is a recommendation as a matter of fact that these Bills need not be brought before the House. The same rule says that an hon. Member who wants to have a Bill introduced may give notice of an amendment that the Bill shall be introduced. If that notice is there, what exactly takes place is this. This is practically the introduction stage. As soon as he gives notice of this amendment, he states as to why the Bill ought to be introduced. The other side may oppose. What exactly will happen even without this rule and without any recommendation? If a Bill is to be introduced, it is open to the other side to oppose it even at the introduction stage. Normally it is not done. In many cases where matters of high policy are involved in a particular Bill, it is open to the other side to take exception. The new rules provide, and the old rules also provided, that even though at the introduction stage exception is taken and introduction is opposed, the Speaker may ask the Member who wants to introduce the Bill to state his points in a few words, and the Member who wants to oppose to state his reasons for opposing, and then immediately put it to the vote of the House as to

whether they should allow it to be introduced or not. We are going through the same stages. These four Bills have been considered and this is the recommendation of the Committee. It is only for the purpose of guidance. So far as the Constitution is concerned, the House may or may not accept this recommendation. Regarding opportunities, hon. Members who have sought leave to introduce the Bills are invited to the Committee, their arguments are heard and ultimately they themselves may be satisfied that introduction of the Bills is not necessary, in which case they will keep quiet, they will not move an amendment. In other cases where they differ from the opinion of the Committee or the recommendation of the Committee, they can move an amendment, and that is the introduction stage. Then what is done is that hon. Member who moves the amendment is asked to state what his points are. Then the other side is also asked to give the reasons for opposing the introduction. Then immediately it is put to the vote of the House. How is the right of the House taken away? On the other hand, the House has got an advantage of having a Committee which hears all the parties and then comes to its own conclusion. You may treat it as useless. You may or may not accept it. It is not binding. If, on the recommendation of the Committee, the hon. Member concerned does not want to move for introduction, Mrs. Renu Chakravartty cannot take it up. As a matter of fact, I was wondering how any hon. Member here who has not tabled an amendment or who has not given notice of introduction of a Bill can be allowed to speak on this. Because this is a matter of first impression, I allowed to speak on this. Because Only persons who are concerned with this, or against whom a recommendation has been made that his Bill should not be allowed to be introduced, will be heard for five minutes. For instance, Mr. Ramaswamy has given notice of a Bill. If the Committee has recommended that his Bill ought not to be allowed to be introduced, he can move an amendment. He can say "I am not prepared to accept this recommendation. I appeal to the House. These are the grounds on which leave should be granted for the introduction of my Bill." Similarly, the other side will give its reasons for opposing introduction. Then it will be put to the vote of the House. There is no taking away of rights.

Mr. Gurupadaswamy has not tabled an amendment notwithstanding the fact that he wanted to introduce a Bill. He was also heard. That means he does not want to introduce the Bill

Shri M. S. Gurupadaswamy: No, Sir.

Mr. Deputy-Speaker: Whether he says "No" or "Yes", it does not matter There is a procedure. If you want to introduce a Bill not accepting the Committee's recommendation, say so. There is an opportunity given. How is the opportunity taken away?

We will assume this Committee has not come into existence, and there is no recommendation of the Committee. What, then, will be done? An hon. Member wants to introduce a Bill. I ask the hon. Minister: "Are you willing to accept?" He says "No". It is open to the hon. Member to keep quiet, not to introduce his Bill at all, or ask for leave to introduce it. On such occasions, it is only those who have tabled a motion for introducing Bills who will be asked to state their points and the Government or any other hon. Members who might oppose the introduction. That is all that will be done. We do not have even such a general discussion like this. Because the first impression seems to be that this Committee is taking away rights vested by the Constitution in Members, I said the other day that I will allow the discussion, but still the same misunderstanding persists. Therefore, Mr Gurupadaswamy has no right to speak.

Shrimati Renu Chakravartty: May I ask for a clarification? Certain principles have been laid down by this Committee. It is not on the merits of any particular Bill. You have argued and placed the principles before the House.

[Shrimati Renu Chakravartty]

The general convention is that Members are allowed to introduce their Bills. Generally, neither the Opposition nor the Government opposes the introduction. Up to now there has not been a single private Member's Bill which has been opposed at the introduction stage.

Mr. Deputy-Speaker: There have been a number of cases. I can ask the office to give a list. Normally, at the introduction stage no Bill is opposed, but even here with respect to the other Bills there is no Committee sitting and making a recommendation, i.e., excepting Bills seeking to amend the Constitution. There is nothing in the Rules to prevent it, nor a convention to that effect.

Pandit Thakur Das Bhargava (Gurgaon): In regard to the other Bills also there is a provision. Mr. Kamath's Bill was thrown out at the introduction stage.

Mr. Deputy-Speaker: He wanted to have the right to commit suicide. I will give one other instance. The Preventive Detention Bill was opposed at the stage of introduction. Therefore, it is wrong to think that any Bill can be introduced automatically. This is only a recommendation, both in letter and spirit, by the Committee to the House. It may be accepted or it may not be accepted. So far as the general principles are concerned, lest it should be thought that the Committee conceived something of its own imagination, the reasons that induced it to come to the conclusion are given,—it is to enable the House to come to a conclusion whether the recommendations are right or wrong. It does not mean that these are the general principles which ought to be accepted by the House for ever.

Dr. Krishnaswami: On a point of information. At the time a Bill is introduced, the hon. Member introducing the Bill is not expected to make a speech. Therefore, if there is a recommendation of the Committee that the Bill should not be introduced and if he persists in introducing it, can he have a right to explain the reasons for introducing that particular Bill? I should like to have elucidation.

Mr. Deputy-Speaker: Even without these new Rules, when leave to introduce a Bill is opposed, the hon. Member who asks for leave is asked to state his point. Then the person opposing it is asked to state his point. It is not an elaborate discussion. Then immediately it is put to the vote of the House. The only thing that has intervened here is that the House is now in possession of some kind of recommedation by an expert Committee which represents the House. The House may accept it or may not accept it. It is only to regulate their desire to vote.

Shri H. N. Mukerjee (Calcutta North-East): May I have an elucidation on this point?

I take it that every Member has the inherent right to bring a motion before the House. Whether it is accepted or not is a very different proposition. But can a Committee on Private Members' Bills make a recommendation to this House on the merits of pending legislation which a certain Member wishes to introduce? If I have given notice of a Bill to amend the Constitution, I have to go through certain kinds of procedure. If I am stopped at the initial stage by a recommedation of the Private Members' Bills Committee which says to the House that it should not be accepted and thereby prejudices the House's mind against my proposition, then I say the Committee is going beyond its jurisdiction. The Committee has no business to enter into the merits of the proposition any Member might bring forward.

Mr. Deputy-Speaker: I will answer this point. It is a short point.

Even at the introduction stage it is not open to the House to go straight into the matter and say: "This seems to be one of 'first impression'. Let us look into the Bill. What are the consequences that will follow? Let us

have three or four Members to go into this matter. We have not got time now. Let the Committee consider what are the grounds for such a novel Bill to be brought up. What is the hurry? Why should not the Member wait?" It is always open to the House to set up a Committee of the House to advise it on particular matters. We will assume some hon. Member opposes the introduction and gives all the reasons that we have given here in this recommendation. Then what will happen? After all, it is not a stranger who gives the advice. It is not a court. We are always open to conviction even at the last moment. Merely because there is a recommendation, nobody is prevented from discussing it. No newspaper is prevented from saying that it ought not to be taken up, it is obnoxious etc. Therefore, there is no question of prejudice.

The second point that was raised by Mr. Mukerjee is that leave to introduce is blocked. No, it is not so. Mr. Ramaswamy has given notice of an amendment. That means, he says: "I want to introduce my Bill. I will now place it before you. I do not agree with this recommendation." The amendment is only the form. The substance of it is: "Notwithstanding the fact that the Committee does not want me to introduce the Bill, on this ground I do want to introduce the Bill. I will satisfy the House." He introduces the Bill if his motion is passed. It is automatic. The House will not be asked to decide the matter once again.

5 P.M.

Shri H. N. Mukerjee: May I make a submission, if you would bear with me for a moment? If, for example, I give notice tomorrow of a Bill to amend the Constitution, and if the Committee on Private Members' Bills pronounces upon it and tells the House that it should not be introduced at all, if we accept the report which is placed before the House today, the result is that I am really deprived of my right at any moment I think fit to bring in a Bill to amend the Constitution, because that has to be decided upon by a Committee, the composition of which, in the present circumstances, is bound to be of a particular character, and which, therefore, is bound to pronounce against certain changes in the Constitution. That being so, it is a very serious infraction of the rights of private Members, particularly belonging to the Opposition, as well as the independent Members, who may have very serious grounds of controversy with the majority party in the House.

The Minister of Home Affairs and States (Dr. Katju): I should like to address the House on one particular aspect. My hon. friend the Deputy Leader of the Communist Party has said just now that there is an inherent right for every Member of the House to bring forward a Bill. Nobody disputes that. But I would beg the House also to consider the state of affairs at present, *viz.* that the House is congested with business, but no progress is being made, and legislative business is being held up. We are going to have discussion on the General Budget, the Railway Budget, the Demands for Grants, and so on. I would suggest therefore that we should make an effort by committee procedure to cut short as much discussion about details in the House as possible. From your speech, I gathered that it is not the intention of this Committee to say finally that no Bill should be introduced. What the Committee probably has in view is that they will have a detailed discussion among themselves, and then they will give their recommendations. If they say that a particular Bill can come before the House, and be introduced, then there is no question about it, and that Bill is introduced. If they say in respect of any particular Bill that it should not be introduced, then the sponsor of the Bill may not agree with that recommendation, and it is open to him to bring a motion before the House and say, 'I do not accept the view of the Committee, I want to satisfy the House, and I want to go forward with my Bill.' He explains his stand, in about two or three minutes, and disposes of his

[Dr. Katju]

motion. Then the question is put to the vote, and the discussion thereon comes to an end.

On the wider question, I would suggest respectfully that we must adopt some procedure by which the House—if I may put it that way—may be in session before lunch, in the morning, (there being a series of select committees or other committees going into these matters, and examining every provision of these Bills in detail), while in the afternoon, after lunch, the discussion on the floor of the House should be very limited and confined to basic principles underlying any piece of legislation. Otherwise, we would never be able to make any progress. All sorts of big questions, like foreign policy, economic policy are coming before us, as also motions for adjournment, etc. every day, and at this rate, we shall never be able to get on with legislation, unless we have this committee procedure. It does not involve any infraction of the rights of private Members, (as my hon. friend there has tried to suggest), either individually, or the rights of the House collectively. The Committee represents in some way the opinion of the House, and that Committee is intended to shorten discussions, as I understand it, on the floor of the House.

I would therefore suggest that this procedure might well be accepted, and while the right of every single private Member to bring forward his Bill is safeguarded, the advantage that the House has is that the discussion on the floor of the House is shortened.

Dr. Krishnaswami: This is a Bill to amend the Constitution.

Shrimati Renu Chakravartty: That is really an attack on the Opposition Members.....

Mr. Deputy-Speaker: Order, order. I have allowed the hon. Member to sppeak once, twice, thrice and four times. How many times am I to allow her to speak?

Shrimati Renu Chakravartty: This is a completely wrong way of dealing with....

Mr. Deputy-Speaker: Order, order. I am not going to allow this kind of an interruption. The hon. Member is going on speaking...

Shrimati Renu Chakravartty: But why should attacks be made consistently, and yet we should not be allowed to speak...

Mr. Deputy-Speaker: Order, order. The hon. Member has got a bee in her bonnet. There is no attack involved in what the hon. Home Minister has said. What is the good of saying, there is an attack? I would not allow this kind of remark any more. I have given absolute indulgence up till now, and I have allowed a number of hon. Members to speak, in order that I may be able to gather their first impressions. The hon Member has had her say once. But she goes on rising in her seat every minute, even though I am calling upon other hon. Members. As this is the first occasion when a report of this nature is being placed before the House, I wanted to have the general impressions of the hon. Members, and so I allowed discussion for about half an hour. But the hon. Member goes on rising in her seat, and says, she will go on speaking. (*Interruptions*). I will now give an opportunity to Shri M. S. Gurupadaswamy also to speak, because he has tabled a Bill in his name. This is the occasion when hon. Members who have tabled Bills in their names, seeking to amend the Constitution, can have their say; this is the occasion, when they have got an opportunity to introduce their Bills and explain their reasons for doing so. Whoever has given an amendment to the original motion has got the right now to explain his stand, and to have his Bill introduced with the consent of the House. There is nothing else in the Rules. The House is absolutely competent in this matter. Ordinarily, when hon. Members ask for leave to

introduce their Bills, they can only state their main points, but now they have an opportunity to state *in extenso* the reasons why they want to introduce their Bills; similarly, the other hon. Members who want to oppose the introduction of particular Bills, have got an opportunity to state the reasons why they object to the introduction Formerly, hon. Members might not have looked into the provisions of the Bills in detail, but now they are having the benefit of the report of a Committee which has gone into all these details. They can take advantage of it, and explain why particular Bills ought to be allowed to be introduced, and equally other hon. Members may explain why particular Bills ought not be introduced; then the matter is put to vote. The Committee's recommendation or report is purely recommendatory. Therefore, no fear need be expressed that there is an infraction of the rights of individual Members.

Shri R. K. Chaudhuri (Gauhati): May I put one question? Is there any similar Committee for Government Bills, where hon. Members of this House are allowed to participate? That is the information I want.

Mr. Deputy-Speaker: So far as the constitution of this Committee is concerned, it is meant only for non-official Bills, *i.e.* private Members' Bills.

Shri H. N. Mukerjee: May I ask on a point of decorum, if not of order? I am sorry I have to put it this way, but I do not know how else to put it. The kind of language which is bandied about normally and legitimately by either side of the House, is, I submit, not the kind of language which should come from you. That is why I ask you whether it was right for you to use the expression about a particular Member of this House, *viz.* that 'she has a bee in her bonnet'. Exactly that is the kind of expression, which if Dr. Katju had used, we would not have minded in the least. If you say it, I think we are entitled to have some kind of an explanation as to how it is consistent with the rules of decorum which you are supposed to administer in this House.

Mr. Deputy-Speaker: I have no hesitation in saying that I did not mean any offence to the lady Member. I thought she had some other point in her mind, because she had been getting up again and again, that she thought this being a very important matter, very far-reaching consequences would come out of this. I meant only this and nothing more. I understood this in one particular manner, and I had no intention to offend the hon. Member. I am exceedingly sorry that such an impression should have been created in the mind of the hon. Member. If I had known that it would mean some offence, I would not have used such an expression at all. I used it in a language in which I thought there was absolutely no offence meant. Whenever I have given offence, I am always ready to admit that I have offended. But on this particular occasion, I never meant any offence to the hon. lady Member.

Now, so far as this matter is concerned, let us close it here. There is absolutely no purpose served by continuing it any further. The Bills are there waiting to be introduced. I shall first give an opportunity to those who have tabled amendments to the main motion. With respect to others, who have not tabled amendments, I am prepared to go out of the way and give them an opportunity. First, I shall allow Shri M. S. Gurupadaswamy an opportunity to explain his position, notwithstanding the fact that he had not tabled an amendment, though he had the right to do so.

An Hon. Member: Just now you gave a ruling that Shri M. S. Gurupadaswamy had no right to speak.

Mr. Deputy-Speaker: I am entitled to change my ruling also.

Shri M. S. Gurupadaswamy: I rise to make a few observations regarding my Bill, and to say that it is quite in order. The recommendation of the Committee on Private Members' Bills is not at all satisfactory in regard to

[Shri M. S. Gurupadaswamy]

this Bill. I submit that this Committee is only a creature of this Parliament, and as such, it cannot abrogate the right of a Member of this House to introduce any Bill, whether it is seeking to amend the Constitution or is meant for some other purpose. It is the fundamental right of every Member of this House to bring forward any Bill to amend the Constitution. The Committee has observed that the Constitution is a very sacred document and that it cannot be treated and tampered with lightly and that as far as possible private Members should restrain themselves before making amendments to this sacred document. I agree with the observations made by the Committee. We are all conscious, every Member of the House is conscious, that the Constitution is a very sacred document and should not be treated lightly.

In this connection I want to submit an instance. Suppose there is a statue of a deity and it is cracking. To say that the deity is a very auspicious god or goddess and therefore it should not be tampered with and should not be repaired is, I think, a foolish argument to make. If there is something bad in that sacred thing, mere announcing it as sacred does not make it really so. To say that we should not do anything to set it in order is, I think, a very absurd position to take. I do feel, Sir, that the Constitution is a very important document and that it is not to be violated and should not be treated in a light-hearted manner. I agree with all these points made by the Committee, but the Committee should not assume that the Member who moves an amendment to the Constitution is treating it in a light-hearted manner. The Committee should go into the question whether the amendment suggested is lightly done or is important. I beg to submit that my amendment is a very serious amendment. It refers to the fundamental character of the Constitution and I have suggested that hereafter the offices of Governors should be elective. What is happening now is that Governors are appointed by the President, and the President is guided eventually by the Ministry and the Ministry is controlled in turn by the Congress party. So, in the ultimate analysis, Governors are the nominees of the Congress party and therefore are not above party. The Committee has observed that if the post of Governor is made an elective one, then the Governor cannot be above party, there would be controversy, party politics, and fight for the election of Governors, and therefore, the Governor cannot be an impartial Head of the State. But I do submit that even now, though the Governor is appointed by the President, he is under the thumb of the ruling party and he is expected to carry out the policies set up by the party. So, he is not above party and he is a party-man. Invariably, Members belonging to one party are selected as Governors. People who are defeated in the last elections, people who are not able to get into the Ministry, people who are not able to get the place of ambassadors abroad—such people are invariable selected to function as Governors.

Shri Nambiar: The latest is Shri Kumaraswami Raja.

Shri M. S. Gurupadaswamy: They are party-men and are acting in a partisan way. The nomination of such people is most undemocratic. So, I suggest that hereafter the place of Governor should be made an elective one, and there should be a democratic procedure for their election. By doing so, we will be making the Constitution itself more democratic. I agree it is a very serious amendment. We know the consequences of such an amendment. We feel that it should be done. So, I submit that the Committee has done a very wrong thing in not recommending my amendment. In my opinion the Committee has not taken a good, impartial view of things.

I know that even in the Committee one or two Members had expressed

their view that the Bill I proposed should be introduced in Parliament. I know that only the Members belonging to the Congress party did not want to introduce the Bill but other Members who belonged to the Opposition wanted the introduction of the Bill. So, even in the Committee, there was a rift. It is not a unanimous recommendation of the Committee. It is only a partial recommendation of the Committee. Only because the Chairman, or some people there who were working in that Committee, did not want, did not allow, a minute of dissent, there was no minute of dissent. Otherwise, there would have been a minute of dissent on this matter. It is a very serious matter. The Committee should not arrogate to itself the powers of Parliament, and the powers of the Members who belong to Parliament. It is the fundamental right of every Member to bring in any measure for the decision of the House. If the Committee do not agree with our amendments, let them do so, but I want the House to see and hear and discuss those things so that we may have the opinion of the House. In this matter the Committee cannot abrogate the right of the House, and cannot abridge the freedom of any Member of the House.

Mr. Deputy-Speaker: Nobody does so. I am going to put it to the vote of the House. I am not going to give a ruling myself. The hon. Member need have no suspicion about this.

Shri M. S. Gurupadaswamy: This measure is a very, very important measure and it is a very democratic measure. I want the House to allow the introducton of this Bill and I want that the procedure of elections be adopted so far as the appointment of Governors is concerned.

Shri Altekar (North Satara): The opposition to this motion is misconceived. The opposition fails to take into consideration the fact that the Commitee on Private Members' Bills is a Committee of this very House and it reflects the general sense of the House. There are Members of all the parties in this Committee and it is an all-party Committee. Therefore, I think the Committee reflects the general sense or opinion of this House. Members of the Opposition are represented there. The list of the Members of the Committee will show that, but I do not want to take the time of the House unnecessarily by reading that list.

Now, there is absoultely no hindrance placed by this Committee in the way of a Member who wants to move any amendment to the Constitution. The right that is conferred by article 368 of the Constitution is open to any Member of the House, and he can give notice of such an amendment. What the rules have provided is that there will be only a Committee which will thoroughly investigate in the matter and hear all the views of the Members, discuss them fully, and after discussing them, it may make recommendations to this House. It is purely a recommendation; nothing more and nothing less. If, as you have already said, Sir, a Member gives notice of an amendment to the Constitution, or of a Bill, it is placed before the House for introduction. He is asked to give his points; and if any one opposes, he too has to state his points. Immediately a vote is taken. But by making provision for such proceedings through this Committee, which has now been formed, ample and full opportunity has been given for the discusssion of the amendments on merits, by going thoroughly into all aspects of them. A Member can discuss the amendments fully before that Committee and the Committee, after hearing him and coming to a conclusion, may make recommendations to this House which gives a wider opportunity for the same. It is no restriction but rather a wider opportunity for these various points being considered before the recommendation is made to the House. Under the old system, it would have been only a statement of points, but now owing to the rules that have been framed for the purposes of this Committee, there is a full discussion before the Committee on all aspects

[Shri Altekar]

of the amendment. So, I would submit that this is rather a widening of the power and not a restriction on the power of a Member to bring amendments before this House.

So far as the other aspects are concerned, I would like to reply to the point raised by the hon. lady Member on the opposite side that this report is in infringement of the rights conferred by article 105 of the Constitution. I submit that her point of view is entirely beside the point at issue. Article 105 (1) of the Constitution says:

> "Subject to the provisions of this Constitution and to the rules and standing orders regulating the procedure of Parliament, there shall be freedom of speech in Parliament."

It is in concern with the protection and freedom of speech in this House. That is, what the hon. lady Member may say in this House in connection with any subject before the House. The article referred to by her goes on to say that a Member of Parliament will not be liable to any proceedings in any court in respect of anything said by him in Parliament. That is in regard to what is said by him in the course of his speech in this House. This is a privilege and protection given by this article. It has absolutely no bearing whatsoever on the moving of any amendment to the Constitution in this House. Therefore, I submit that the point that is raised in that connection is entirely beside the mark.

Then so far as the Bills that have been brought here are concerned, I would like to point out that these have been fully considered in all the various aspects. My hon. friend, Mr. Gurupadaswamy, has stated that it is a fundamental question of the democratic principle that the post of Governor should be elective. Now, this matter was discussed fully before the Constituent Assembly and all the pros and cons were fully considered, and after that the present method has been adopted. Now, what are the recommendations of this Private Members' Bills Committee? They are, that when the matter has been so fully discussed and a certain principle was adopted, there should be a sufficiently fair trial given to that. It is only about three years since the Constitution has been brought into effect and a fair trial should be given to and sufficient experience should be had regarding the working of present system. Therefore, I submit that this is a sound principle that has been placed before the House. The House may accept it or reject it. The Private Members' Bills Committee's recommendations are after all recommendations; the House may accept them or reject them. They do not in any way take away the right of any Member of this House to move any amendment before this House. Therefore, the opponents' angle of vision in looking at the recommendations that are made by the Committee is rather misdirected. The House is quite free to accept or throw away these recommendations. Any hon. Member is quite free to move any amendment to the Constitution and it will come before this House. Just as any other amendment to the Constitution would have been moved formerly, it will also come up before the House after full discussion by the Committee for giving its opinion thereon. Therefore, there is absolutely no sort of hindrance to or any mitigation of the right that has been conferred on any Member for bringing in an amendment to the Constitution. From all these points of view, I would like to point out that the right of no hon. Member of this House is in any way infringed or encroached upon by the recommendations that have been made by this Private Members' Bills Committee, and I beg to submit that the report should be accepted. No right whatsoever is abrogated by the recommendations. It is already there and it can in no way be taken away by the recommendations that have been made by this Committee. My hon. friend, Mr. Mukerjee, has said

that these recommendations take away the inherent right of the Members. No inherent right has been taken away and any Member, as I have already said, is quite free to move any amendment to the Constitution; it will be fully discussed before the Committee and it will come before this House for acceptance or rejection. Under these circumstances, Sir, I submit that these recommendations that are made to this House should be taken in the spirit in which they are made and there is absolutely no infringement of any of the powers of this sovereign House.

Shri Nambiar: On a point of clarification, Sir.

Mr. Deputy-Speaker: No. It should have been asked earlier.

Shri R. K. Chaudhuri: You won't allow any Member to speak?

Mr. Deputy-Speaker: No more. I called upon the other gentleman, the Mover. We have given more than three hours to this.

Shri K. K. Basu (Diamond Harbour): How will the voting be? Will it be in respect of each and every Bill or will it be in respect of motion generally?

Mr. Deputy-Speaker: I will put the amendments to the motion first and then the motion itself. The motion is:

> "That this House agrees with the First Report of the Committee on Private Members' Bills presented to the House on the 9th December 1953"

to which I have received three amendments. One is by Shrimati Renu Chakravarty:

That for the original motion, the following be substituted, namely:—

> "That this House disagrees with the Report of the Committee on Private Members' Bills."

That is a negation of the original motion and therefore, any voting that may take place will be a vote against the original motion.

Shri S. S. More (Sholapur): I want a clarification from you, Sir. Supposing a certain verdict of the House is to be recorded in this House, is it not necessary that the positive verdict as well as the negative verdict should be recorded, positively?

Shri K. K. Basu: On a point of order, Sir.

Mr. Deputy-Speaker: I am positively of opinion that I have not been able to understand what the hon. Member has said.

Shri K. K. Basu: My proposition is this. The way in which this motion is being dealt with is a violation of article 118 of the Constitution. The Constitution says...

Mr. Deputy-Speaker: That has already been said.

Shri K. K. Basu: No, Sir. You might have taken each Bill on its own motion. That is a different thing. But if you put it generally, it may be constructed differently later. This Private Members' Bills Committee is appointed by the Speaker and it is not a special committee appointed by a resolution of the House with a particular directive to sit in judgment on the particular Bills. Here it says that no amendment to the Constitution should be allowed to be introduced unless the Committee recommends. Therefore, I was enquiring from you. If you put each separately and take the verdict, that is quite different. But if you lump it all in a general motion, it might be construed that unless this Private Members' Bills Committee, which is appointed and nominated by the Speaker, recommends that such and such a Bill can be introduced, the Members have no right to do so. Therefore, I would submit to you that it violates article 118 of the Constitution which says that our rules should not be such as to go against article 368.

Mr. Deputy-Speaker: Now, so far as this matter is concerned, this procedure that we have adopted does not go against this.

Order, order. Those hon. Members in the front Benches are so absorbed in their conversation that they do not care to know what exactly is going on in the House. If it is so interesting, they may go to the Lobby.

Now the point is this. The report is there. It makes recommendations in respect of all the four Bills. If all the four hon. Members so want, it is open to each one of them to have tabled an amendment saying: 'This report is wrong. My Bill ought to be taken up' in which case I would have placed Bill after Bill before the House and even at the introduction stage the verdict of the House could have been obtained and leave to introduce given. If some hon. Member does not want to press it and does not table an amendment, it is open to him; it is the same thing as if he has not presented the Bill. Therefore, there is absolutely no verdict contrary to the rules, if the recommendation is accepted. All that it means is that those gentlemen themselves accept the recommendations and do not want to move them. In so far as the other matter is concerned, whenever one hon. Member has given notice that he considers that his Bill ought to be accepted, then leave to introduce is given. Therefore, I do not see any inherent inconsistency between the rules and the Constitution. After all, on many occasions it has been ruled by the Chair that the ultimate decision of the whole matter is in the hands of the House. I will put it now.

Shri M. S. Gurupadaswamy: On a point of order, Sir. I want to know where is the rule that I should move an amendment to the motion.

Shri Kasliwal (Kotah-Jhalawar): There is a rule.

Mr. Deputy-Speaker: I think so. If not, I will correct it. Yes, there is Rule 47.

Dr. Katju: You might put it to vote now.

Mr. Deputy-Speaker: A point of order is raised. I have to meet the point of order before I put it to the House. Rule 47 says:

> "At any time after the report has been presented to the House a motion may be moved that the House agrees or agrees with amendments or disagrees with the report:
>
> Provided that not more than half-an-hour shall be allowed for the discussion of the motion and no member shall speak for more than five minutes on such a motion:
>
> Provided further that an amendment may be moved that the report be referred back to the Committee without limitations or with reference to any particular matter."

Rule 47 speaks of three positions; it may agree, or it may agree with amendments, or it may disagree. Therefore, if there is any amendment that so far as a particular Bill is concerned the report shall be modified, or that a particular Bill shall be excluded from the report, then I will put that amendment to the vote of the House.

Shri S. S. More: Will that not mean that if the main report is accepted, I will not be allowed to bring forward a motion for leave before the House and seek the leave of the House directly? The report will come before the House with the recommendation that Mr. More's notice should not be taken into consideration, and it will be submitted to the vote of the House. I will have to move an amendment that my notice should be accepted. If that amendment is defeated, then, it means that I am debarred. So, that is another way of putting a clog, which is against the Constitution.

Mr. Deputy-Speaker: Where is the clog? After the report is made, he must indicate to the House by an amendment that he still wants to press his notice. That is my ruling.

Shri S. S. More: We have not been able to follow it.

Mr. Deputy-Speaker: I have been speaking English; I will speak slowly.

Shri S. S. More: I do protest against this, Sir.

Mr. Deputy-Speaker: Against what do you protest?

Shri S. S. More: Unfortunately, you are the Chairman of the Committee and now you are sitting in the Chair.

Mr. Deputy-Speaker: You can criticise me. You need not say that I am the Chairman and I am now presiding. You can say that my opinion is wrong. Several hon. Members have said so. There is no good clouding the issue. Far from debarring any hon. Member, this enables the House to come to the conclusion in a much better way. The original rules were cryptic. They only said that if a motion for leave is opposed, then the hon. Member who gave notice of the motion will state his points. Then the House had no means of knowing what exactly it was that he wanted to bring forward in his Bill. Here, this Committee hears both sides of the question put before it. All that Mr. More says is that he should once again be given an opportunity for moving for leave to introduce. After the Committee's report, the hon. Member who made the original motion may be satisfied or he may not. If he is not satisfied he gives an indication to the House that he does not agree with the report and wants leave to introduce. That is all that it says.

Shri S. S. More: Will that be enough?

Mr. Deputy-Speaker: His amendment is enough.

Shri S. S. More: With great respect to you, I still seek clarification.

Dr. Katju: I would only suggest, Sir. that there are only 2½ hours for private Members' business and that it should be fully utilised. We have already lost one hour.

Mr. Deputy-Speaker: I am not carried away by this kind of argument. I am trying to satisfy myself and also the House. The hon. Home Minister need not be so much worried about Private Members' Business.

Dr. N. B. Khare: Crocodile tears.

Mr. Deputy-Speaker: This is taking away their own time; they are also worried about it.

Shri S. S. More: I want some clarification because we are in the initial stages of our democracy. Supposing the report is submitted to the House; it also embodies my notice. Now, if I get upon my legs in the House and say that I want to have a chance on the floor of the House, will that be enough? Will it give me an opportunity of seeking leave in the open House?

Mr. Deputy-Speaker: There is the amendment given.

Shri S. S. More: Then the majority vote will decide. Will the declaration be treated as being enough? If an amendment is given, it will depend upon the majority vote of the House, which it is very difficult to get.

Mr. Deputy-Speaker: Majority vote is the one that gives leave also to introduce. Even if a motion for leave to introduce a Bill is brought on the floor of the House the vote of the majority cannot be ignored. Therefore, what has to be done is to give notice of an amendment. If he accepts the report of the Committee he gives no notice of amendment but if he wants to reject the report, he gives notice of the amendment.

Shri S. S. More: Again, Sir,.....

Mr. Deputy-Speaker: I have given sufficient clarification. I am going to put the amendments and motion to the vote.

Dr. N. B. Khare: Mr. More has also a bee in his bonnet.

Mr. Deputy-Speaker: Order, order, please.

Shri Raghavachari (Penukonda): May I respectfully submit one point?

Mr. Deputy-Speaker: I am not going to allow any further discussion on this matter. I have given sufficient time to this. I will now put it to vote.

Shri Nambiar: I want to know.....

Mr. Deputy-Speaker: Order, order; I am putting the amendment of Mr. Ramaswamy to vote. He is not pressing it?

Shri S. V. Ramaswamy: Not pressing.

Shri Nambiar: Mr. Gurupadaswamy has given notice of an amendment.

Mr. Deputy-Speaker: Order, order; I won't allow this. Unless there is an amendment tabled, I am not going to put it to the House.

Shri Nambiar: This is a new procedure which you are introducing. He now wants to move it.

Mr. Deputy-Speaker: I have given my ruling. I will now put the motion to the House.

The question is:

> "That this House agrees with the First Report of the Committee on Private Members' Bills presented to the House on the 9th December, 1953."

The 'Ayes' have it.

Shri Nambiar: The 'Noes' have it.

Mr. Deputy-Speaker: Those who are for the motion will rise in their seats.

Shri Nambiar: Sir, we must have a regular division; the bell must ring.

Mr. Deputy-Speaker: If the hon. Members take any interest in it, they must be present here. I cannot bring them here.

Shri Nambiar: Sir, this is a matter which has been agitating our minds. It may be they are not wise enough to anticipate your ruling. So, you must accept our request, Sir.

Mr. Deputy-Speaker: For the information of hon. Members who have just now come into the House after the division bell rang, I may state that the question before the House is about the adoption of the First Report of the Committee on Private Members' Bills presented to the House on the 9th December, 1953. There have been amendments moved to this motion. One is by Shri Khub Chand Sodhia, through which he wants the leave of the House to introduce his particular Bill. Then, there is an amendment by Shri Ramaswamy, through which he wants that his Bill ought to be accepted and leave to introduce it should be given. Then, there is an amendment by Shrimati Renu Chakravartty which says that the Report ought not to be accepted by the House. It is a negative one, and its fate will be decided by the fate of the main motion. I will formally put the amendments, unless they are withdrawn. I find Shri Sodhia is not present, but I shall have his amendment put to the House. His amendment is:

That for the original motion, the following be substituted, namely:

> "That this House disagrees with the Report of the Committee on Private Members' Bills on Bill No. 51 of 1953."

Dr. N. B. Khare: The main motion has already been placed before the House, and the Chair cannot go back to the amendments.

Sardar A. S. Saigal (Bilaspur): Shri Sodhia is not here, and he has not also moved his amendment formally.

Mr. Deputy-Speaker: By his Bill, Shri Sodhia wants to raise the age from twenty five years to thirty years for becoming a Member of the House of the People and in the other case to raise it from thirty years to thirty five years.

Pandit Thakur Das Bhargava: But his amendment has not been moved so far. The Member is not in the House. It cannot therefore be voted upon.

Shri Altekar: He has not moved it.

Mr. Deputy-Speaker: He has given notice, but I shall just see whether he has moved it.

Sardar A. S. Saigal: But he is not here to indicate whether it is to be put to vote or not.

Dr. N. B. Khare: The Chair has already put the main motion to the House and votes were recorded. I submit that the Chair cannot go back to the amendments.

Shri K. K. Basu: On a point of order. Can anybody ask a Member to go out of the House when his amendment is going to be put to vote? The hon. Member Mr. Ramaswamy was here and he was asked to go away.

Mr. Deputy-Speaker: Why is there a pandemonium over this? Why should hon. Members create so much noise? They can also go away; they have gone away a number of times. We represent 360 millions of people, and people from various parts of the world are watching our proceedings. Are we trying to make this House a place where we play?

Shri S. S. More: When the Chair is speaking, it is looking only to us; it would convey the impression that we are responsible for this.

Mr. Deputy-Speaker: Shri Khub Chand Sodhia, I find, made a reference to his amendment but does not seem to have moved it. Therefore, I do not put it. Then, Shri Ramaswamy had moved his amendment. I shall put it. The question is:

That for the original motion, the following be substituted, namely:

"That this House disagrees with the Report of the Committee on Private Members' Bills on Bill No. 127 of 1952"

The motion was negatived.

Mr. Deputy-Speaker: Shrimati Renu Chakravartty's amendment is a negation of the original motion. Therefore, I shall now put the motion itself to the vote of the House. The question is:

"That this House agrees with the First Report of the Committee on Private Members' Bills presented to the House on the 9th December, 1953."

The House divided: Ayes 147; Noes 39

Division No. 2] AYES [5-45 P. M.

Abdus Sattar, Shri
Agarwal, Shri S.N.
Agrawal, Shri M.L.
Akarpuri, Sardar
Altekar, Shri
Alva, Shri Joachim
Ansari, Dr.
Azad, Shri Bhagwat Jha
Badan Singh, Ch.
Balmiki, Shri
Barupal, Shri P.L.
Basappa, Shri
Bhandari, Shri
Bharati, Shri G.S.
Bhargava, Pandit Thakur Das
Bhatt, Shri C.
Bhonsle, Shri J.K.
Bidari, Shri
Birbal Singh, Shri
Bogawat, Shri
Bose, Shri P.C.
Brajeshwar Prasad, Shri
Chanda, Shri Anil K.
Chandrasekhar, Shrimati
Charak, Th. Lakshman Singh
Chaudhary, Shri G.L.
Chinaria, Shri
Choudhuri, Shri M. Shaffee
Dabhi, Shri
Damar, Shri
Das, Dr. M.M.
Das, Shri S.N.
Desai, Shri K.K.
Deshmukh, Shri K.G.
Dholakia, Shri
Dhusiya, Shri
Digambar Singh, Shri
Dube, Shri U.S.
Dubey, Shri R.G.
Dwivedi, Shri D.P.
Dwivedi, Shri M.L.
Gadgil, Shri
Gandhi, Shri V.B.
Ganapati Ram, Shri
Ghosh, Shri A.
Gounder, Shri K.P.
Govind Das, Seth
Hazarika, Shri J.N.
Heda, Shri
Hem Raj, Shri
Ibrahim, Shri
Iyyani, Shri E.
Jagjivan Ram, Shri
Jain, Shri N.S.
Jayashri, Shrimati
Jena, Shri K.C.
Jena, Shri Niranjan

Jhunjhunwala, Shri
Joshi, Shri M.D.
Joshi, Shri N.L.
Jwala Prashad, Shri
Kajrolkar, Shri
Kale, Shrimati A.
Kasliwal, Shri
Kazmi, Shri
Keskar, Dr.
Khedkar, Shri G.B.
Kirollkar, Shri
Krishnappa, Shri M.V.
Kureel, Shri B.N.
Lakshmayya, Shri
Lallanji, Shri
Lingam, Shri N.M.
Mahodaya, Shri
Majhi, Shri R.C.
Malaviya, Shri K.D.
Malliah, Shri U.S.
Malvia, Shri B.N.
Malviya, Pandit C.N.
Masuriya Din, Shri
Mathew, Prof.
Maydeo, Shrimati
Mehta, Shri Balwant Sinha
Mehta, Shri B.G.
Mishra, Shri S.N.
Mishra, Shri Bibhuti
Mishra, Shri L.N.
Mishra, Shri Lokenath
Misra, Shri R.D.
Mohd. Akbar, Sofi
Morarka, Shri
Narasimhan, Shri C.R.
Naskar, Shri P.S.
Natesan, Shri
Nathwani, Shri N.P.
Nehru, Shrimati Uma
Nijalingappa, Shri
Pannalal, Shri
Parekh, Dr. J.N.
Parmar, Shri R.B.
Patel, Shrimati Maniben
Patil, Shri Shankargauda
Prasad, Shri H.S.
Rachiah, Shri N.
Radha Raman, Shri
Raghuramaiah, Shri
Ram Dass, Shri
Ram Saran, Shri
Ram Subhag Singh, Dr.
Ramananda Tirtha, Swami
Ramaswamy, Shri P.
Ramaswamy, Shri S.V.
Rup Narain, Shri
Sahu, Shri Rameshwar
Saigal, Sardar A.S.
Saksena, Shri Mohanlal
Sanganna, Shri
,i P.G.
Sen, Shrimati Sushama
Shah, Shri R.N.
Shahnawaz Khan, Shri
Sharma, Pandit Balkrishna
Sharma, Shri D.C.
Sharma, Shri R.C.
Singh, Shri D.N.
Singh, Shri L. Jogeswar
Sinha, Shri Jhulan
Sinha, Shri Nageshwar Prasad
Sinha, Shrimati Tarkeshwari
Sinhasan Singh, Shri
Somana, Shri N.
Suresh Chandra, Dr.
Swaminadhan, Shrimati Ammu
Tek Chand, Shri
Telkikar, Shri
Thomas, Shri A.M.
Tivary, Shri V.N.
Tiwari, Pandit B.L.
Tiwary, Pandit D.N.
Uikey, Shri
Upadhyay, Shri S.D.
Vaishnav, Shri H.G.
Vaishya, Shri M.B.
Venkataraman, Shri
Vyas, Shri Radhelal
Wodeyar, Shri
Zaidi, Col.

NOES

Achalu, Shri
Basu, Shri K.K.
Chakravartty, Shrimati Renu
Chatterjea, Shri Tushar
Chatterjee, Shri N.C.
Chaudhuri, Shri T.K.
Chowdhury, Shri N.B.
Damodaran, Shri N.P.
Das, Shri B.C.
Das, Shri Sarangadhar
Deshpande, Shri V.G.
Gupta, Shri Sadhan
Gusupadaswamy, Shri M.S.
Kandasamy, Shri
Kelappan, Shri
Khare, Dr. N.B.
Krishnaswami, Dr.
Lal Singh, Sardar
Menon, Shri Damodara
More, Shri S.S.
Mukerjee, Shri H.N.
Muniswamy, Shri
Nambiar, Shri
Pandey, Dr. Natabar
Raghavachari, Shri
Ramasami, Shri M.D.
Ramnarayan Singh, Babu
Randaman Singh, Shri
Rao, Shri P. Subba
Rao, Shri Seshagiri
Rao, Shri T.B. Vittal
Rishang Keishing, Shri
Shah, Shrimati Kamlendu Mati
Sharma, Shri Nand Lal
Shastri, Shri B.D.
Subrahmanyam, Shri K.
Swami, Shri Sivamurthi
Trivedi, Shri U.M.
Waghmare, Shri

The motion was adopted.

INDIAN RAILWAYS (AMENDMENT) BILL

(Omission of sections 71A, 71B and amendment of sections 71C, 71D, etc.)

Shri Nambiar (Mayuram): I beg to move for leave to introduce a Bill further to amend the Indian Railways Act, 1890.

Mr. Deputy-Speaker: The question is :

"That leave be granted to introduce a Bill further to amend the Indian Railways Act, 1890."

The motion was adopted.

Shri Nambiar: I introduce the Bill.

INDIAN TRADE UNIONS (AMENDMENT) BILL

(Insertion of new section 15A)

Shri Nambiar (Mayuram): I beg to move for leave to introduce a Bill further to amend the Indian Trade Unions Act, 1926.

Mr. Deputy-Speaker: The question is:

"That leave be granted to introduce a Bill further to amend the Indian Trade Unions Act, 1926."

The motion was adopted.

Shri Nambiar: I introduce the Bill.

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6 P.M.

WOMEN'S AND CHILDREN'S INSTITUTIONS LICENSING BILL

Shrimati Kamlendu Mati Shah (Garhwal Distt.—West *cum* Tehri Garhwal Distt. *cum* Bijnor Distt.—North): I beg to move for leave to introduce a Bill to regulate and licence institutions caring for women and children

Mr. Deputy-Speaker: I understand a similar Bill is already introduced and pending in the House. I leave it to the hon. Member, because under the rules nobody can be prevented from introducing the Bill.

Shrimati Kamlendu Mati Shah: I would like to introduce the Bill.

Mr. Deputy-Speaker: The question is:

"That leave be granted to introduce a Bill to regulate and licence institutions caring for women and children."

The motion was adopted.

Shrimati Kamlendu Mati Shah: I introduce the Bill.

Mr. Deputy-Speaker: Shri B. Das is absent. Bills Nos. 8 and 9 are barred as they are identical with the one that has already been introduced.

SUPPRESSION OF IMMORAL TRAFFIC AND BROTHELS BILL

Shrimati Kamlendu Mati Shah (Garhwal Distt.—West *cum* Tehri Garhwal Distt. *cum* Bijnor Distt.—North): I beg to move for leave to introduce a Bill to provide for and consolidate the law relating to suppression of immoral traffic in women and brothels.

[SHRIMATI RENU CHAKRAVARTTY *in the Chair*]

Mr. Chairman: The question is:

"That leave be granted to introduce a Bill to provide for and consolidate the law relating to suppression of immoral traffic in women and brothels."

The motion was adopted.

Shrimati Kamlendu Mati Shah: I introduce the Bill.

Mr. Chairman: Shri B. Das is absent. Bills Nos. 12 and 13 are barred being identical. Shri A. K. Gopalan is absent.

ANTI CATTLE SLAUGHTER BILL

Shri U. M. Trivedi (Chittor): I beg to move for leave to introduce a Bill to preserve the milch and draught cattle of the country.

Mr. Chairman: The question is:

"That leave be granted to introduce a Bill to preserve the milch and draught cattle of the country."

The motion was adopted.

Shri U. M. Trivedi: I introduce the Bill.

INDIAN MAJORITY (AMENDMENT) BILL

(Amendment of section 3)

Shri Jhulan Sinha (Saran North): I beg to move for leave to introduce a Bill further to amend the Indian Majority Act, 1875.

Mr. Chairman: The question is:

"That leave be granted to introduce a Bill further to amend the Indian Majority Act, 1875."

The motion was adopted.

Shri Jhulan Sinha: I introduce the Bill

CASTE DISTINCTIONS REMOVAL BILL

Shri Dabhi (Kaira North): I beg to move for leave to introduce a Bill to remove official recognition of caste distinction among Hindus.

Mr. Chairman: The question is:

"That leave be granted to introduce a Bill to remove official recognition of caste distinction among Hindus."

The motion was adopted.

Shri Dabhi: I introduce the Bill.

INDIAN MEDICAL COUNCIL (AMENDMENT) BILL

(*Amendment of sections* 3, 5 *and* 8 *etc.*)

Sardar A. S. Saigal (Bilaspur): I beg to move for leave to introduce a Bill further to amend the Indian Medical Council Act, 1933.

Mr. Chairman: The question is:

"That leave be granted to introduce a Bill further to amend the Indian Medical Council Act, 1933."

The motion was adopted.

Sardar A. S. Saigal: I introduce the Bill

INDIAN CATTLE PRESERVATION BILL—*contd.*

Mr. Chairman: The House will now take up further consideration of the following motion moved by Seth Govind Das on the 27th November, 1953:—

"That the Bill to preserve the milch and draught cattle of the country, be taken into consideration."

डा० एन० बी० खरे (ग्वालियर): अध्यक्षा महोदया, यह जो प्रश्न हमारे मित्र सेठ गोविन्द दास ने इस विधेयक के रूप में इस सदन के सामने उपस्थित किया है, यह सदियों से लटक रहा है, त्रिशंक के समान न जमीन का है और न आसमान का है, बीच में लटक रहा है। इस की पार्श्व भूमि यह है कि जब यहां पर मुसलमानों का राज्य आया हम जब परतंत्र हुए, मुसलमानों ने हम को जीत लिया, उस वक्त से यहां पर गोहत्या की प्रथा जारी हो गयी, कुछ खुराक के लिये और कुछ कुर्बानी के लिये, लेकिन यह कहा जा सकता है कि मुसलमानों ने भी इस प्रश्न की उपेक्षा बहुत नहीं की और मुसलमानी शासन काल का इतिहास हमें बतलाता है कि बाबर, हमायूं अकबर और जहांगीर आदि बादशाहों ने वक्तन फवक्तन गोहत्या निषेध के फ़रमान निकाले हैं। बादशाह शाहआलम ने भी इस प्रकार के फरमान निकाले, लेकिन इस के लिये कहा जा सकता है कि वह महादा जी सिन्धिया के जेरे असर था, उनकी पावर में था, लेकिन उसके पहले जो मुसलमान बादशाह गुजरे, उन के बारे में यह बात नहीं कही जा सकती। फिर उस के बाद यह दूसरी बात है कि हिन्दू और मुसलमान दोनों पराभूत हो गये और अंग्रेजों के राज्य ने यहां अपने कदम जमाये। अंग्रेज चाहते थे कि इस देश के ऊपर वह हमेशा के लिये राज्य करें, इस वास्ते इस देश में जो दो कौमें हिन्दू और मुसलमान बसती हैं, उन में मतभेद और फूट पैदा करने के हेतु अंग्रेजों का सदा प्रयत्न रहा और यह सब को विदित

है कि उन का प्रयत्न यह था कि इस गो-वध के ऊपर उनमें झगड़ा पैदा किया जाये। अंग्रेजों ने यह झगड़ा यहां दो सौ वर्ष तक कायम रक्खा। जब अंग्रेजों का राज्य गया और कांग्रेस का राज्य आया तो उम्मीद यह थी कि कांग्रेस का राज्य आते ही यह गोवध प्रथा कायदे से बंद कर दी जायगी और गो-वध निषेध आज्ञा कांग्रेस सरकार जारी करेगी, लेकिन दुर्भाग्यवश दुःख के साथ कहना पड़ता है कि ऐसा नहीं हुआ। और मुझे बड़े दुःख के साथ कहना पड़ता है कि इस देश में जो ८५ प्रतिशत हिन्दू रहते हैं उन के दिल में हमेशा यह ठेस कायम रही। मैं इस तरफ भी सदन का ध्यान आकर्षित करना चाहता हूं। कांग्रेस ने जब आन्दोलन शुरू किया तो उस समय खुद कांग्रेस का ही पहलू गोहत्या निषेध था। इस सम्बन्ध में महात्मा गान्धी और लोकमान्य तिलक के वक्तव्य हैं, उन को दोहरा कर मैं सदन का समय व्यर्थ व्यतीत नहीं करना चाहता।

यह देश एक कृषि प्रधान देश है और इस कृषि प्रधान देश में बैलों का और उस की माता गाय का बड़ा उपयोग है। इस के बारे में यहां किसी बहस मुबाहसे की जरूरत नहीं है। आज कल इस देश में ट्रैक्टर ला कर खेती करने की चेष्टा की जा रही है। लेकिन इस देश में सदियों तक भी ट्रैक्टर का काम यशस्वी नहीं होगा और बैल को लेना ही पड़ेगा। मुझे खेद के साथ कहना पड़ता है कि जिस बैल को आप ने चुनाव में अपना चिन्ह माना है, उस की माता गाय की हत्या करने से हमारी कोई तरक्की नहीं हो सकती।

कहते हैं कि गाय की उपयोगिता बहुत है, दूध देती है, उस के दही, मक्खन, घी और गोबर तक की बड़ी उपयोगिता है। खेती के काम में गाय और बैल दोनों आते हैं। वेदों तक में गाय को अघन्या (अहन्य) कहा है जिस का हनन नहीं हो सकता, जो मारा नहीं जा सकता। लेकिन मैं इस सवाल के धार्मिक, आर्थिक या और जो किसी किस्म का उपयोग है, उस में नहीं जाना चाहता क्योंकि इस से सदन का समय नष्ट होगा। मेरा सिर्फ एक ही दृष्टिकोण है जिस पर जोर देना चाहता हूं और स्पष्ट रूप से कहना चाहता हूं कि जो हिन्दू इस देश में ८५ प्रतिशत हैं उन का गाय मानबिन्दु है। हिन्दू इस के लिये अपना जीवन तक कुर्बान करने को हर समय तैयार रहता है और हमारा इतिहास यह साबित करता है कि शिवाजी तक, जिन को हम पूज्य मानते हैं भले ही कुछ लोग उन को मिस-गाइडेड पैट्रियट मानते हों, वह गाय की रक्षा के लिये सदा तत्पर रहते थे। उन के पिता शाह जी महाराज आदिलशाही दरबार में वजीर आजम थे, ऐसे ही कर्तुमकर्तुमन्यथा कर्तुम् थे जैसे कि आज कल पंडित नेहरू हैं। शिवाजी को एक बार एक मुसलमान ने ललकार दिया कि मैं गाय को मारता हूं, है कोई हिन्दू जो इस को बचा सके। हमारे छत्रपति शिवाजी जो उस समय किशोरावस्था ही में थे आगे आये और उन्हों ने उस मुसलमान का सिर उतार लिया। उन को सजा नहीं मिली क्योंकि वह वजीर आजम के पुत्र थे। आप जानते हैं कि इस चीज से हिन्दुओं को कितनी ठेस लगाई जा रही है। मैं नहीं कहता कि आज भी कोई ऐसे किसी का सिर उतार ले मैं तो केवल इतिहास की एक घटना हाउस के सामने रखना चाहता हूं। इसीलिये शिवाजी को गो और ब्राह्मण पालक की पदवी दी गई थी।

अंग्रेजों के राज्य में क्या हुआ? एक तो उन्हों ने हिन्दू और मुसलमान का फर्क डालने के वास्ते इस प्रश्न को बार बार हल करने से रोक कर रक्खा और दूसरे व्यापार की दृष्टि से गोहत्या जारी रक्खी। उन को मालूम हुआ कि बैलों के मांस और चमड़े

[डा० एन० बी० खरे]

के बिजिनेस से परदेशों में से लाखों करोड़ों रुपया हिन्दुस्तान में आता है। मुझे खेद के साथ कहना पड़ता है कि अंग्रेजों के जाने के बाद जो कांग्रेस सरकार आई उस का भी व्यापार का ख्याल है और इसीलिये वह गोहत्या बन्द करना नहीं चाहती। मैं इस बात को बिल्कुल साफ कर देना चाहता हूं।

बात ऐसी है, कि भ्रम से कहें या किसी भी तरह से, हिन्दू गाय को माता मानते हैं, कैसे भी मानते हों, लाक्षणिक या एक्चुअल, लेकिन मानते हैं, इस में उन की भूल है या नहीं, मैं इस में नहीं जाना चाहता, लेकिन ऐसा होता है। आज देश में हिन्दुओं की मैजारिटी है और कहा जाता है कि यहां पर डेमाक्रेसी है, तो जो बहुमत की राय हो उस को मान लेना चाहिये और उसी पर चलना चाहिये। हम लोग अगर डिमाक्रेसी को मानते होते तो जरूर ही गोहत्या को बन्द कर देते, अगर मैं डिमाक्रेसी को हिन्दुआइज कर दूं तो डिमाक्रेसी का दीमकराशि बन जाता है, जिस की अगर अंग्रेजी की जाय तो हो जायगा "ए हीप आफ़ ह्वाइट ऐंट्स"। इस तरीके से हम डिमाक्रेसी से हिन्दुओं को दास बनाते हैं। जब भी हिन्दू कोई बात कहते हैं तो उस में बाधा आती है हमारे सेकुलरिज्म की, जिस को कि मैं शेखुलरिज्म कहता हूं जान बूझ कर। यह एक ऐसा सवाल है जिस के बारे में मैं सब लोगों के दिल का हाल जानता हूं, कांग्रेस वालों के दिल का भी। यहां नहीं लेकिन लाबी में वह इस गोवध निषेध के बिल्कुल पक्ष में हैं, लेकिन वह इसे पास नहीं होने देंगे। यह है हमारे यहां की डिमाक्रेसी जिस को कि मैं दीमकराशि कहता हूं। सेकुलरिज्म का मतलब क्या है यह तो मैं नहीं जानता, लेकिन इतना जानता हूं कि हिन्दुओं के विश्वास को इस की आड़ में दबाया जाता है। यह कहा जा सकता है कि अगर हिन्दू गाय को माता मानते हैं, तो कांग्रेस या शायद कांग्रेसी इस्लाम को अपना पिता मानते हैं इस वास्ते वह ऐसा करना चाहते हैं। मुझे परशुराम की बात याद आती है जिन्हों ने अपने पिता की आज्ञा से अपनी माता रेणुका का वध किया। कांग्रेस शायद आज इस भ्रम में है कि वह महा पराक्रमी वीर परशुराम के पथ पर चल रही है और माता का वध करवा रही है पिता को खुश करने के वास्ते।

जो हमारे कान्स्टिट्यूशन का आर्टिकल ४८ है उस में मैं नहीं जाना चाहता लेकिन मैं ने वह रिपोर्ट पढ़ी है जिस में कहा गया है कि इस देश में ६० फीसदी जो ढोर हैं वे बेकार हैं और उन का कत्ल करना बहुत जरूरी है ताकि इस देश में अन्न का प्रश्न भी हल हो जाय जिस का अर्थ है इन्डाइरेक्टली कि गो मांस खाया जाय, यह ठीक नहीं है। इस लिये मैं स्पष्ट कर देना चाहता हूं कि मैं इस चीज का सख्त विरोध करता हूं। मैं जानता हूं कि हमारे गोविन्द दासजी सरीखे जितने भी लोग इस समय हैं वे कितना ही प्रयत्नशील रहें, कभी भी सफल नहीं होंगे जब तक कि यह राज्य कायम है। मैं उन को चेतावनी देना चाहता हूं कि अगर उनके दिल को जरा भी इस चीज से ठेस लगी है उन को हमारे पास आना चाहिये।

सेठ गोविन्द दास : मध्य प्रदेश में, आप जानते हैं कि कांग्रेस गवर्नमेंट ने ही गोहत्या बन्द की है?

डा० एन० बी० खरे : यह भी जानता हूं कि केन्द्रीय सरकार ने बहुत सी प्रान्तीय सरकारों को यह आदेश दिये हैं कि इसे बन्द न किया जाय और मध्य प्रदेश में कसाईखाने खुलने की चर्चा चल रही है।

सेठ गोविन्द दास : जिस सर्कुलर की आप बात कर रहें हैं वह विदड्रा कर लिया गया है, यह आप को मालूम होना चाहिये । *(Interruption.)*

डा० एन० बी० खरे : बहुत अच्छा, थैंक यू । जो कांग्रेस आज हमारे ऊपर राज्य कर रही है अगर उसका इस से कोई वि रोध नहीं है तो हमारी उस से दरख्वास्त है कि वह इसे बन्द करे । लेकिन वह इस पालिसी पर चलेगी नहीं क्योंकि वह इस पर तुली हुई है कि जो जो भी चीजें हिन्दुओं की मानबिन्दु हैं उन का नाश करे । यह कांग्रेस का ध्येय है अपने सेकुलरिज्म की वजह से । कांग्रेस का तो वही हाल है जैसा कि इस छोटी सी कविता में कहा गया है :

"सिर पर है गांधी टोपी, पैजामे में चूडियां,
हिन्दू गरीब जान लगाती है जूतियां । "

यह हिन्दुओं का देश है लेकिन कांग्रेस इस बात पर द्रष्टि नहीं करती है । वह कभी इस काम को नहीं करेगी । बाहर वाले यहां आते हैं और हम को सर्टिफिकेट दे जाते हैं कि इस देश का कारोबार बड़ा अच्छा चल रहा है । सभी जगह हमारा बोलबाला है । यह बात कहां तक ठीक है यह मैं नहीं जानता , लेकिन इस देश की बहुमत वाली जनता जानती है कि उन के मन की बात नहीं हो रही है । आज यहां कहा जा रहा है कि हमारी जवाहर सरकार है । जवाहर याने डायमन्ड ज्युवेल यह सरकार है जरूर लेकिन वह परदेशियों के वास्ते है क्योंकि वह वहां से सर्टिफिकेट पाती है, देश के वास्ते तो मैं यही कह सकता हूं कि अगर जवाहर में से 'वा' निकाल दिया जाय तो जो बचता है अर्थात् जहर वही वह रह गया है ।

यह कहते हुए मैं इस बिल का समर्थन करता हूं लेकिन मुझे डर है कि यह बिल पास नहीं होगा ।

Shrimati Kamlendu Mati Shah (Garhwal Distt.—West *cum* Tehri Garhwal Distt. *cum* Bijnor Distt.—North): We all know how our cattle is treated by us today. People, in general, are blamed for not looking after them. It is not the poor farmer to be blamed, who treats them like his own children, but the modern citizens and selfish owners, who benefit by the use or sale of their products, and who, after having no more use for them, either just drive them into the streets and make them live on rubbish, or sell them to the butcher.

Any human being having some feelings for these animals, and some consideration for the welfare of the country will, I am sure, agree with me, that by not banning cow slaughter, in our country, we are totally ignoring Article 48 of our Constitution, the religious sentiments of crores of people, and the economic interests of our country, which completely depend upon cattle wealth, from the health and agricultural points of view.

None can deny that we are no more preserving cattle and cow slaughter has immensely increased since our independence, which is a disgrace to us, specially Hindus, who seem to be the only race, that is fast losing her culture, and ignoring her religious beliefs, that were based on the science of Nature. Most of us laugh at our traditions and customs laid out by our wise ancestors for our good. No matter how modern we may become, we can only prosper by following the laws of Nature as they will rule us at all times. Is there any doubt that Nature may take a heavy toll, if we do not try to follow them? And though it may be called a fantastic religious belief, the secret of prosperity lies in preserving our cattle that helps us throughout our life.

I would be very happy if we could prove wrong the facts and figures given by the General Secretary, Bharat Gosewak Samaj in his report, in which he says that those who say that only old and useless cattle is

[Shrimati Kamlendu Mati Shah]

slaughtered are lying and in spite of the existing law against it, nearly four hundred well-bred young cows are daily slaughtered in Muradabad alone; that the U.P. Government is encouraging it the most by turning a deaf ear towards the approaches made by the Rohtak and Hissar District Boards and the Punjab Congress. He gives names of different slaughter centres and adds how thousands of young milch cows are sent to Calcutta every year and how their calves are the first victims and after the milk dries up the mothers meet the same fate.

This only means definite encouragement to the law-breakers who are allowed to twist the meaning of this act according to their convenience. This only shows how short-sighted we have become by not being able to see that we are depriving ourselves of a treasure by banking on false economy.

In other countries, where beef is their main food, milch and draught cattle slaughter is banned. Even people of different faith, like the Burmese Prime Minister, are trying their utmost to stop cow slaughter, while it has doubly increased and become a normal daily routine in our country since our independence.

Let us now see how much and in how many ways we are benefiting by cow slaughter and exportation of various parts of its body. By exporting beef, etc., we are considering the income only. It is also said that we have to get rid of about one crore of old and useless cattle to make space for the young and good ones.

We can find the answer to these lame excuses in our hearts. The meat of only young and healthy cattle can be acceptable to foreign countries as well as to most beef consumers in India. I challenge the correction. As for the income, it would be better to check so many other waste-holes such as allowing to perish and turn into dust fifty thousand blankets in Calcutta, and the loss shown in the Audit Report, from 1949, of a deficit of Rs. 3 crores and fifty lakhs which has yearly increased till 1953. Also three lakhs worth of ghee and petrol alone are being allowed to evaporate and many more such facts are widely known and cannot be denied. It is such items that need strict checking to save people's hard-earned money, and not the income from cow slaughter, to make the country wealthy.

It is a great pity that we have become blind even to this animal's unaccountable services to us. It starts serving us from birth till after death, by giving us milk products, helping us in all our work in the villages and even in the cities. And even where old and useless, it manages to live on scanty food and still gives us manure worth Rs. 50/- per head per year, when the same amount of synthetic manure costs Rs. 80/- to prepare. And even its remains, in the form of hide and bones, are most useful to us, and which we are exporting by a false notion of economy, thereby making ourselves and our soil poorer. I ask the House, can we deny that this animal is our benefactor, companion and a friend, and is it right to repay its fidelity by slaughtering it?

Our scientists are trying to find milk and butter in plants and nuts which is a mere joke, and a very poor consolation, in trying to replace milk products. I ask the House are we becoming stronger and healthier by using *dalda vanaspathi* and vegetable oils? Are we really happy since human invented stuff has replaced things that Nature gave us?

In spite of the great scientific discoveries and advancing conditions of the world today, we are being reduced to shadows of what we were, not long ago. Most of us have no vigour, vitality and mental and physical strength left to face truth and fight disease and calamities that are spreading and increasing by leaps and bounds. Most of us, except the rich and overfed, are just unnourished and

starved living skeletons. Our sickly appearances prove it. Our youth hardly lasts for a few years. How long will we be able to cope with the need of expensive medicines and lofty hospital buildings, if we have no money to buy even food, that is said to be in plenty now, to keep our body and soul together. Is there any doubt that at this speed, one day each home may become an abode of the sick without the proper nourishment that nature meant for us. Slowly we ourselves have become mere machines that we invented by being rendered heartless. Money has become our only goal, and we do not flinch or hesitate to hurt even our greatest friend. We have become very poor by having succumbed to our weaknesses within us. Are we the same who followed the truth and fought for the right, not long ago? Our goal was so vivid before us during our slavery. How bravely we strived for our independence and got it? Why have we now lost sight of the great truth that broke our bondage. I ask the House: is this independence victory or a great defeat?

Is there any doubt that if we do not act wisely and carefully, we will not flourish but perish? Science has already found means to destroy millions at a stroke. And even though it may find ways to prolong life, it will be no consolation, as life may become a mere burden if we are only to face worry, misery, hunger and fear of insecurity. We hear of so many suicides.

In conclusion, Madam, I hope we will be able to appreciate and choose something that is for our benefit and will be able to decide wisely, by watching that our policy in this matter is really as sound as the one that has earned us world-wide praise. Our policy of secularism should not lead us to encourage and support cow slaughter as that will surely earn us only abuse.

Mr. Chairman: Sardar A. S. Saigal. Before the hon. Member begins, I would request him to just limit his remarks to ten minutes because there are many others who want to speak.

सरदार ए० एस० सहगल (बिलासपुर): सभानेत्री जी, जो प्रस्ताव माननीय सेठ गोविन्द दास जी लाये हैं मैं उस का समर्थन करने के लिये खड़ा हुआ हूं ।

इस प्रस्ताव के जरिये से जो हमारे यहां की गायें हैं और जो हमारे जानवर हैं उनकी हम अपने देश में रक्षा कर सकते हैं । हमारा जो देश है वह एक कृषिप्रधान देश है और इसी लिये हमारे जो चौपाये हैं उनकी रक्षा करना हमारा पहला कर्तव्य हो जाता है । हमारे देश में गाय को लक्ष्मी का रूप दिया गया है । आप किसी हिन्दू के यहां चले जाइये जो हमारे देश में रहता है, आप पायेंगे कि जिस वक्त शाम को उसकी गाय उसके मकान पर आती है तो उसकी आरती उतारी जाती है और उस के बाद उसके चरणों पर पानी देते हैं। इसी तरह से जब हमारे यहां का कोई काश्तकार बैल खरीदता है तो वह समझता है कि हमारे यहां एक लक्ष्मी आयी है । अतः हमारे देश में गाय को वह स्थान दिया जाता है जो कि लक्ष्मी को दिया जाता है । ऐसी स्थिति में हमारा यह कर्तव्य हो जाता है कि हम उनकी जितनी भी रक्षा कर सकते हैं करें । अब जब हमारा देश स्वतंत्र हो गया है और हमारी सरकार कार्य करने वाली है, तो हमारी सरकार का यह कर्तव्य होना चाहिये कि वह इस तरह का कोई कानून बनाये ताकि हिन्दुस्तान में यह जो चारों तरफ से आवाजें उठ रही हैं वह बन्द हों। सभानेत्री महोदया हमारे एक माननीय सदस्य हिन्दू महासभा के भूतपूर्व सभापति ने यह कहा कि यह जो कांग्रेस वाले हैं यह उन दूसरे लोगों को जो कि यहां पर रहते हैं पिता के तुल्य मानते हैं । मैं तो उन से कहता हूं

[सरदार ए० एस० सहगल]

कि उनको शर्म मालूम होनी चाहिय । यदि हम लोग उनको पिता समझते हैं तो आखिर आप भी यहीं पैदा हुए हैं व यहां पर रहते ह, तो आप अपने को क्या समझते हैं? क्या वे आप के पिता नहीं हैं । इस तरह के लांछन कांग्रेस वालों पर लगाना ठीक नहीं है । मैं समझता हूं कि वह बुजुर्ग हैं, बड़े हैं और वह एक प्रान्त के प्रधान मंत्री रह चुके हैं। पर यहां पर आने के बाद उन की अक्ल में इस तरह की कमी हो गयी है कि मुझे बड़ा अफसोस होता है । मैं तो कहूंगा कि इस तरह की बातों पर उन को ख्याल रखना चाहिये और यदि कोई उचित सुझाव हो तो उस को सरकार के सामने लाना चाहिए । सरकार से गलतियां होती हैं यह मैं मानता हूं । कोई भी पार्टी आयेगी उससे कोई न कोई गलती जरूर होगी। कोई भी आदमी या कोई भी पार्टी जोयहां पर आ जाती है वह एकदम सीख कर वह पक्की हो कर नहीं आती। खामियां रहती हैं । उनको दूर करना हमारा और हमारे जो और भाई इस हाउस में हैं उनका कर्तव्य हो जाता है। खाली टीका टिपणी करने से कोई कार्य नहीं चल सकता। फी जमाने में जब कि हम सब मिल कर प्रजातंत्र सिद्धान्त पर काम करने के लिये आगे हुए हैं तो हमारा यह कर्तव्य होना चाहिये कि हम यह देखें कि देश की वृद्धि कैसे हो सकती है ।

यह जो प्रस्ताव है, इस प्रस्ताव के विषय में मैं तो अपने यहां के जो माननीय मंत्री महोदय हैं, उन से अर्ज करूंगा कि आप इस में विलम्ब न करें और जल्दी से जल्दी एक बिल लावें ताकि इस तरह का वातावरण कहीं देश में तैयार न हो जिस से कि हमें और हमारे देश को नुकसान पहुंचे, इस से पहले ही एक इस तरह का बिल लायें जिस से कि हमारे यहां के जो चोपाये हैं, गाय हैं, बछड़े हैं, और बैल हैं उनकी अच्छी तरह से परवरिश हो सके । जितने गोसदन हैं, जहां गौओं की सेवा की जाती है, उनकी प्रान्तीय सरकारों से कह कर ज्यादा से ज्यादा तादाद में स्थापना करायें । इस के लिये अपने बजट में भी सरकार कुछ थोड़ी रकम जरूर रखे और प्रान्तीय सरकारों को दे । जिस से कि वहां उन की रक्षा हो सके । यदि प्रान्तीय सरकारें गोसदन नहीं बनाती हैं तो उन को आगाह करे कि तुम को यह काम करना पड़ेगा ।

इन शब्दों के साथ मैं इस प्रस्ताव का जो हमारे माननीय सदस्य सेठ गोविन्द दास जी लाये हैं, उस का समर्थन करता हूं ।

Mr. Chairman: Before I would continue the debate, I would like to bring to the notice of the House that there is no quorum. I have already sent word and still I find only very few Members present here. It is only right that there should be at least the minimum quorum.

An Hon. Member: The quorum bell may be rung.

Mr. Chairman: I won't ring it just now. I expect that during the course of the next speech there will be quorum.

श्री नन्द लाल शर्मा (सीकर): "यालक्ष्मीर्लोकपालानां या च स्वर्गे व्यवस्थिता । धेनुरूपेण सा देवी मम पापं व्यपोहतु ॥ "

माननीय उपाध्यक्षा महोदया, प्रारम्भ से पूर्व एक शब्द कह देना उचित है। यद्यपि मैं किसी भी माननीय सदस्य की भावना को ठेस नहीं पहुंचाना चाहता, किन्तु गऊ के सम्बन्ध में, विशेष कर के जब कि दोनों ओर से, कांग्रेसी पक्ष से और विरोधी दल से, सभी व्यक्ति गोहत्या बन्द हों ऐसा कहा है तो ऐसी परिस्थिति में इस को किसी पार्टी का या किसी पक्ष का प्रश्न बनाना उचित नहीं है । यद्यपि स्वर्ग

मेरा अपना बिल उपस्थित है और जब भी हो वह सदन के सामने आ सकता है, फिर भी मैं ने स्वयं इस बात का निश्चय कर लिया था कि यद्यपि मेरी समझ से श्री माननीय सेठ गोविन्द दास जी के बिल से मुझे पूर्ण संतोष नहीं, वह मेरी व्यक्तिगत भावना के अनुकूल नहीं आता, फिर भी यदि कांग्रेस सरकार और हमारा यह सदन इस बिल को स्वीकार करे तो मुझे उस समय अपना बिल लौटा लेने में कोई खेद नहीं होगा। उसका कारण यह है। आज सब से बड़ी वस्तु देश के सामने यह है कि भारत के एक कोने से लेकर दूसरे कोने तक जनता इस गोहत्या की मानसिक पीड़ा से तड़प रही है और जनता की यह बड़ी भारी मांग है कि गोहत्या बन्द हो। एतावत मैं इस बात का अनुभव करता हूं कि कोई भी वैधानिक अड़चनें डाल कर, इस में कृषि का विषय लगा कर, यह कह देना कि यह प्रान्तों में जाना चाहिये, मैं समझता हूं कि यह अनुचित है। मुझे सेठ गोविंद दास जी क्षमा करेंगे जब मैं यह कहता हूं कि उन्हों ने "इंडियन कैटल प्रिजर्वेशन" शब्द रख हैं तो इन के रखने में उन की जो कांग्रेसी भावना थी वह थोड़ी कमजोरी लाती थी, कि कहीं गऊ का नाम आ जाने से देश की सांस्कृतिक भावना उठ न जाय और देश की सांस्कृतिक भावना उठने से कोई दूसरे व्यक्ति इस से रुष्ट न हो जायं। मैं जानता हूं कि उन के हृदय में गऊ के लिये कितना दर्द है और वह उसका कितना आदर करते हैं और वह चाहते हैं कि गोहत्या बन्द हो। किन्तु गोहत्या न कह कर किसी भी प्रकार से गऊ को ला कर उस की हत्या बन्द हो जाय तो यह जो उन की भावना है उस का मैं समर्थन करता हूं।

एतावत अब इस में केवल कृषि के दृष्टिकोण को आप डाल देंगे, जैसे कि हमारे मियां साहब, श्री किदवई साहब ने कहा था कि इस संसद् में इस पर बहस करना निष्फल हो जायगा और यह प्रान्तों में जायगा, तो मैं समझता हूं कि हमारे उद्देश्य को ही निष्फल बनाना होगा। इस लिये हम को उसका सांस्कृतिक, उसका धार्मिक और उस के स्वास्थ्य के सम्बन्ध में जो इस प्रश्न का स्वरूप है, जो इस दृष्टिकोण से लाभ है, उस प्रकार गऊ का प्रश्न प्रत्यक्ष रखना पड़ेगा हम समझते हैं कि और कुछ नहीं तो लोकतन्त्र की दृष्टि से हम को गोहत्या बन्द करना स्पष्ट आवश्यक है। आज हमारी सरकार डिमाक्रेटिक सरकार कहलाती है। लोकतन्त्रात्मक सरकार कहलाती है। और जनमत अधिकाधिक संख्या में देश के एक कोने से दूसरे कोने तक इस की मांग कर रहा है कि गोहत्या बन्द हो। हम यदि उस को बन्द नहीं करते और हम में से कोई खड़ा होकर, कोई भी नेता खड़ा होकर यह कहता है कि जनता मूर्ख है, समझती नहीं, तो मैं कहता हूं कि वह लोकतन्त्र के नाम पर लात मारता है और कलंक लगाता है। हम को इस बात का ध्यान होना चाहिये कि लोकतन्त्र का विचार रखते हुए गोहत्या का बन्द होना परम आवश्यक है।

हम को यह भी ध्यान रखना चाहिये कि हमारे भारतवर्ष के अन्दर बड़े बड़े राजर्षि और धर्मात्मा पुरुष हो गये हैं। राजर्षि दिलीप ने अपने शरीर को मांस के एक लोथड़े की तरह शेर के आगे फेंक दिया और कह दिया कि मेरे शरीर को खा जावो, लेकिन गऊ को छोड़ दो। यह कहना कि बूढ़ी गायों को, निष्फल गायों को मार देना चाहिये, क्योंकि वह हमारा अन्न खा जाती हैं, पिछले आप के अधिवेशन में आंकड़े देकर इस बात को सिद्ध कर दिया जा चुका है कि गऊ बूढ़ी भी हो कर, जर्जरित और निरिन्द्रिय हो कर भी, वह गोबर और गोमूत्र के द्वारा जितना खाद देती है, जितना इंधन देती है वह भी उसके चोर से कहीं अधिक

[श्री नन्द लाल शर्मा]

होता है । ऐसी गायों को कोई भी अनाज नहीं देता है । इसलिये यह कहना कि वह हमारा अनाज खा जायेंगी, दूसरे पशुओं का अनाज खा जायेंगी, यह कहना भी झूठ है । मुझे माननीय सहगल साहब क्षमा करेंगे जब मैं यह कहूं कि उन्हों ने "चौपाये" शब्द का प्रयोग किया । हम समझते हैं कि यह कहना कि जनता गऊ का जो पूजन करती है वही हत्या करती है, यह झूठी भावना है । यह हमारे राष्ट्र के मानबिन्दु का परित्याग करना है । उसी तरह की यह भावना है । अंग्रेज यहां आ जाते और चाहते वह ले जाते, कोई रुकावट डालते कि इतना ले जावो इतना मत ले जावो । आप ने हम को क्लोरोफार्म सुंघा कर के और खुला कर के छोड दिया और हम चल सकते नही । अब हमारी जेब को कोई भी काट सकता है, कोई भी गला काट सकता है । इस तरह जंजीर तोड़ने से और क्लोरोफार्म सुंघाने से क्या होता है । इस लिये इस तरह की प्रतिकूल भावना रखने से और अपने मानबिन्दु का परित्याग करने से और अपनी संस्कृति का नाश करने से लिये तैयार रहना यही राष्ट्र के नाश के और राष्ट्र के पतन के कारण हैं । केवल पर्वतों का नाम, नदियों का नाम लेने से ही राष्ट्र नहीं होता । राष्ट्र की जो संस्कृति है, जो राष्ट्र का मानबिन्दु है, उस को बीच में से हटा दिया जाय तो राष्ट्र-वाद ही खत्म हो जाता है । एतावत राष्ट्र-वाद के नाम से, प्रजातन्त्रात्मक सरकार के नाम से और जनता की आवाज के नाम से, आप को इस भारतवर्ष की अत्यन्त प्राचीन विभूति, जिस के लिये वेद ने आज्ञा दी है

मा गामनागामदितिं वधिष्ठ ॥

कहा गया है कि हम को यह अमरत्व देती है, यह हम को अमर बनाने वाली है, इसलिये 'ए मनुष्य, इस की हत्या न करना", आप को इस की हत्या बन्द करनी पडेगी । कहा है कि इस की हत्या से तुम दिति के पुत्र बनोगे, मृत्यु को प्राप्त होवोगे । दिति क्या है, मृत्यु । तुम निरन्तर मृत्यु के गाल में चले जावोगे ।

इस लिये मैं सदन का अधिक समय न लेते हुए, इतना ही निवेदन करता हूं कि गोपाल कृष्ण की पवित्रभूमि में, जहां भगवान कृष्ण, अखिल ब्रह्मांडनायक भगवान अनन्त ब्रह्मांडों की रचना करने वाले, जहां भगवान कृष्ण नंगे पैर घूमे हैं, गऊ की सेवा के लिये, जहां वह कहते हैं:

पूयेमेत्यङ्घ्रिरेणुभिः ।

कि गऊ के चरणों से जो धूल निकलती है, उठती है, उस के कण से मेरा शरीर पवित्र होता है, इस प्रकार के जिस देश में घी और दूध की नदियां जहां पहले बहती हों और जहां आज खून की नदियां बह रही हों, वहां यह हमारा दुर्भाग्य ही इस का कारण है । मेरा स्पष्ट भाव है कि यही क्रम रहा तो हमारा देश नाश की ओर जायेगा और हमारे शत्रु बलवान होंगे ।

अपूज्या यत्र पूज्यन्ते पूज्य पूजा व्यतिक्रमः ।
त्रीणि तत्र भविष्यन्ति दुर्भिक्षं मरणं भयम् ॥

जिस देश में पूजा करने योग्य देवता का पूजन नहीं होगा, अपूज्यों का सम्मान बढ़ेगा उस में तीन दोष सदा रहेंगे । उस में अकाल बढेगा अनाज नष्ट होगा और मरण होगा । वहां अकाल मृत्यु होगी, छोटे छोटे बच्चे मरेंगे और सदा ही शत्रु का, चोर का और अग्नि का भय रहेगा । इन तीन दोषों से यदि बचना है तो आप को गोहत्या शीघ्रातिशीघ्र बन्द करनी होगी ।

इन शब्दों के साथ मैं इस बिल का पूर्णतया एवं हृदय से समर्थन करता हूं ।

Shri U. M. Trivedi: Sir, I beg to move:

"That the question be now put."

Shri V. G. Deshpande (Guna): I support the motion.

Mr. Chairman: I have to ask the opinion of the House. The question is:

"That the question be now put."

The motion was adopted.

Mr. Chairman: Seth Govind Dass would like to reply, I think?

Sardar A. S. Saigal: There is a motion to refer the Bill to a Select Committee.

Mr. Chairman: First the Mover has got the right to reply.

सेठ गोविन्द दास (मंडला—जबलपुर—दक्षिण) : अध्यक्षा महोदया, जहां तक मेरे इस विधेयक का सम्बन्ध है, मैं इस सम्बन्ध में विस्तृत बातें इसके पहले कह चुका हूं। २७ नवम्बर को मैं ने इसे उपस्थित किया था और ११ दिसम्बर को भी यह इस सदन के सम्मुख आया था। उन दो दिनों में मैं ने कोई दो घंटे के भाषण में इस विषय पर जितना भी प्रकाश डाला जा सकता है, उतना डालने का प्रयत्न किया था। बहस का उत्तर तो मुझे तब देना होता जब इस विधेयक का विरोध किया जाता, परन्तु आप ने देखा होगा कि २७ नवम्बर को मेरा भाषण पूरा नहीं हुआ था, ११ दिसम्बर को जब मेरा भाषण पूरा हो गया उसके बाद जिसने भी इस विधेयक पर कुछ कहा, उसने मेरे समर्थन में कहा, यहां तक कि हमारे कृषि मंत्री श्री रफी अहमद किदवई ने भी इस विधेयक का विरोध नहीं किया। उन्होंने पटने के अपने एक भाषण में इस बात को कहा था कि यदि इस देश का बहुमत गोवध बन्द चाहता है, तो गोवध बन्द होना चाहिये और जब मैं ने उन्हें उस भाषण का स्मरण दिलाया तब उन्होंने फिर ११ तारीख को इस बात को दुहराया कि जो बात उन्होंने पटने में कही थी, उस पर वह आज भी कायम हैं और उस सम्बन्ध में वह कोई परिवर्तन नहीं करना चाहते। तो यह सरकारी मत था। उन्होंने यह जरूर कहा था कि यह विषय प्रान्तीय विषय है, परन्तु सभानेत्री महोदया, आप यह जानती हैं कि जब यह आवाज उठाई गई कि यह प्रान्तीय विषय है, उस समय हमारे उपाध्यक्ष महोदय ने इस बात पर अपनी रूलिंग दी थी जिसमें उन्होंने कहा था कि वह इस विषय को प्रान्तीय विषय मान कर अलग नहीं करना चाहते और इस को इस सदन के ऊपर छोड़ देना चाहते हैं। तब अब यह प्रश्न उठाना कि सरकार इसका विरोध तो नहीं करती, लेकिन यह प्रान्तीय विषय है कुछ उपयुक्त बात नहीं होगी। यह बात हुई ११ दिसम्बर की जब इस विधेयक पर कुछ भाषण हुए और आज आपने देखा कि इस विधेयक पर जितने भी भाषण हुए, सबों ने इसका समर्थन किया, किसी ने भी इसका विरोध नहीं किया। हिन्दू सभा की ओर से डा० खरे साहब बोले, रामराज्य परिषद् की ओर से श्री नन्दलाल शर्मा बोले। इस के अलावा हमारा जो एक दूसरा दल यहां पर स्थापित हुआ है, उसकी ओर से हमारी राजमाता टिहरी बोलीं, कांग्रेस की ओर से हमारे सरदार सहगल बोले और वह सिख भी हैं। इस तरह आपने देखा कि किसी दल का भी इस से विरोध नहीं है।

कांग्रेस के सम्बन्ध में जो बातें आप से कही जाती हैं, वे बातें बहुत हद तक गलत हैं। जब डाक्टर खरे बोल रहे थे तो उन्होंने कहा कि कांग्रेस सरकार इस के समर्थन में नहीं है, कांग्रेस वाले इस के समर्थन में नहीं हैं और यह कभी पास होने वाला नहीं है। मैं ने उन को स्मरण दिलाया कि मध्य प्रदेश में जहां यह विधेयक रखा गया और पास हुआ, वहां आखिर कांग्रेस की ही

[सेठ गोविन्द दास]

सरकार तो है, कोई दूसरे की तो सरकार नहीं है। वहां यह विधेयक सरकार की ओर से रखा गया और पास हुआ। अभी आपने सुना होगा कि भूपाल में जहां पर कांग्रेस की सरकार है, वहां भी यह विधेयक रखा गया और भूपाल में भी यह पास हुआ। शायद आप जानती होंगी कि बिहार प्रान्त में भी इस प्रकार का एक विधेयक वहां की विधान सभा में उपस्थित है, वहां पर भी कांग्रेस की सरकार है। वह विधेयक एक सेलेक्ट कमेटी को सुपुर्द किया गया है। मैं अभी बिहार गया था और मुझे यह मालूम हुआ कि शायद बिहार विधान सभा के अगले अधिवेशन में वह पास हो जायेगा। इसलिये यह कहना कि कांग्रेस सरकारें और कांग्रेस वाले इस के विपक्ष में हैं, जनता को एक गलत बात कहनी है। मैं ने आप के सामने इतने दृष्टान्त दिये। आप जानती हैं कि मैं कांग्रेस दल का सदस्य हूं, कांग्रेस दल में आज शामिल हुआ हूं, ऐसी बात नहीं है। कांग्रेस में मैं सन् १९२० से शामिल हूं, आज भी मैं कांग्रेस में हूं और कांग्रेस के बड़े जिम्मेदारी के पदों पर मैं रह चुका हूं। अपनी प्रान्तीय कांग्रेस का मैं सभापति हूं और इतने समय से सभापति हूं, जितने समय तक शायद कोई भी किसी प्रान्त का सभापति न रहा होगा। कांग्रेस वर्किंग कमेटी का मैं मेम्बर रह चुका हूं और त्रिपुरी कांग्रेस की स्वागत समिति का मैं अध्यक्ष था। आपके इस सदन का तीस वर्षों से सदस्य हूं, और कांग्रेस की ओर से मैं सदस्य हूं तब यह कहना कि कांग्रेस इस के विरुद्ध है ठीक नहीं है।

श्री वी० जी० देशपांडे: आपकी सरकार क्या कर रही है?

सेठ गोविन्द दास: अगर कांग्रेस इसके विरुद्ध होती तो मैं कांग्रेस दल के अन्दर रहते हुये यह विधेयक पेश नहीं कर सकता था, मुझे ह्विप द्वारा कोई इस प्रकार का आदेश नहीं मिला कि मैं इस विधेयक को सदन में पेश न करूं, तब यह कहना कि कांग्रेस सरकारें या कांग्रेस दल इसके विरुद्ध है, लोगों को भुलावे में डालना है।

श्री वी० जी० देशपांडे: कांग्रेस सरकार यह बिल क्यों नहीं ला रही है?

सेठ गोविन्द दास: पर मैं एक चीज बिल्कुल साफ कर दूं कि मैं इस विषय में राजनीति को बिल्कुल नहीं लाना चाहता, मेरे कुछ मित्र राजनीति को दृष्टि में रख कर इस विषय पर बोलते हैं। मैं चाहता हूं कि यह या भूमिदान का जो विषय है, इस प्रकार के निर्माण करने के जो विषय हैं, उन में हम राजनीति को न आने दें और सब दल मिल कर उन कामों को करें। मेरा शुरू से यह मत रहा है और आज भी मेरा यही मत है। इसलिये जहां तक गो रक्षा का विषय है मैं इस में राजनीति को नहीं आने देना चाहता। राजनीति को पृथक रख कर मैं इस विषय को आपके सामने उपस्थित करना चाहता हूं और मैं चाहता हूं कि यह सदन इस विधेयक को पास करे। जैसा कि हमारे श्री नन्द लाल शर्मा ने कहा मैं एक बात सरकार को जरूर कहना चाहता हूं कि सरकार इस विषय में आपत्ति उपस्थित करके कि यह प्रान्तीय विषय है, इसका विरोध न करे। उपाध्यक्ष महोदय ने इस विषय को इस सदन के ऊपर छोड़ा था। अगर थोड़ी देर के लिये यह समझ भी लिया जाय कि यह विधेयक कानून के विरुद्ध है, इतने पर भी अगर यह सदन इस को पास कर देता है तो सदन को इस बात का हक है। उस वक्त हम इस विषय को एक दूसरी तरह से देखेंगे और यहां से उस के पास हो जाने के बाद दूसरी प्रान्तीय सरकारों

को तो एक रास्ता मिलेगा। उन के सामने हम जायेंगे और कहेंगे कि देखिये केन्द्र में कांग्रेस की सरकार रहते हुए जिस के नेता पंडित जवाहरलाल नेहरू हैं, कांग्रेस दल का बहुमत रहते हुए और इस विषय पर मतभेद रहते हुए भी कि यह विषय केन्द्र का है या प्रान्त का है, केन्द्र ने इस को पास किया और अगर केन्द्र ने इस को पास कर दिया है तो प्रत्येक प्रान्त का यह कर्त्तव्य होना चाहिये कि वह इस को पास करे।

श्री मन्नू लाल शर्मा : संविधान का संशोधन तो हो सकता है।

सेठ गोविन्द दास : इस के यहां पास होने से हम को बहुत बड़ा बल मिलेगा।

एक बात और कह दूं। यदि आप केन्द्र और प्रान्तों के विषयों को देखें तो आपको मालूम होगा कि अगर दो प्रान्तीय सरकारें केन्द्र को यह लिखें कि अमुक अमुक प्रकार का विधेयक पास होना चाहिये तो प्रान्तीय विषय रहते हुए भी केन्द्र उस को पास कर सकता है। आज इतने प्रान्तों में कांग्रेस की सरकारें हैं, और कोई भी प्रान्त खास कर मेरा प्रान्त तो सब से पहले, इस बात के लिये राजी होगा कि वह केन्द्र को लिखे कि केन्द्र ऐसा विधेयक पास करे।

मैं चाहता हूं कि जैसा उपाध्यक्ष महोदय ने कहा था कि उस के अनुसार यह विषय सदन पर छोड़ दिया जाय कि वह इस को पास करे। मैं अधिक समय नहीं लेना चाहता, क्लोजर मोशन आ गया है, और सात बजने के पहले इस को समाप्त करना है। जो कुछ मुझे कहना था वह मैंने २७ नवम्बर और ११ दिसम्बर को कह दिया है। उन भाषणों को यदि आप देखने का प्रयत्न करेंगे तो आपको मालूम होगा कि सब बातें कही जा चुकी हैं और अब जब कि यहां पर किसी दल के द्वारा या सरकारके द्वारा इस का विरोध नहीं हुआ है तो मुझे उत्तर देने की कोई बात नहीं दिखाई देती। मैं चाहता हूं कि यह सदन इस विधेयक को पास कर दे।

Mr. Chairman: There is a motion that the Bill be referred to a Select Committee. I will put that motion first.

Shri Ramchandra Reddi: Nellore): One would like to know whether Government have no opinion altogether on this matter.

Mr. Chairman: I will allow just five minutes for the Minister.

The Deputy Minister of Food and Agriculture (Shri M. V. Krishnappa): On the Bill?

Mr. Chairman: Yes, on the Bill.

Shri M. V. Krishnappa: During the last session of Parliament, the Minister of Food and Agriculture, Shri Kidwai, spoke on the Bill and he made it clear, though he sympathized with all the sentiments expressed by the people regarding the importance of the cow in the country, that the Bill was *ultra vires*. Seth Govind Das made a reference to the speech made by Shri Kidwai at Patna. What he said at Patna was that if a majority of the people in this country wanted a thing to be done, it has to be done without considering the pros and cons of it. That is what he said and he stood by what he has said. But you must remember how this Bill is *ultra vires* to be passed by this House. As introduced by Seth Govind Das, it is designed to apply to the whole of India. "Preservation, protection and improvement of livestock" falls under entry 15 of the State List in the Seventh Schedule of the Constitution. Under article 246 (3) of the Constitution, the Legislature of a Part A or Part B State has exclusive powers to make laws in

[Shri M. V. Krishnappa]

respect of any of the matters enumerated in the State List. Apart from the admissibility of the Bill, it is considered to be premature, as it envisages a complete stoppage of cattle slaughter in India. The proposed ban on the slaughter of all cattle useless or unproductive, will not be in the interests of the preservation and development of cattle wealth, until adequate provision is made for the maintenance and care of unserviceable and unproductive animals in the country.

Shri Nand Lal Sharma: Is this where the Government stands?

Shri M. V. Krishnappa: I quite sympathize with your sentiments..... For this purpose, the entire country should be surveyed so as to determine the requirements. In respect of *gosadans*, considerable expenditure on the establishment of *gosadans* will have to be necessary. The Cattle Preservation and Development Committee appointed by the Government of India in 1949, of which I hope Seth Govind Das was also a member, estimated that a total expenditure of Rs. 24·4 crores non-recurring and Rs. 12·8 crores recurring would be needed for this purpose. As recommended by this Committee, legislation will have to be enacted by the States concerned.

Shri U. M. Trivedi (Chittor): Is it all relevant? It is a question of making laws. There is no question of *gosadans*.

Mr. Chairman: Let him finish.

Shri M. V. Krishnappa: When we talk about this legislation, the hon. Members should know that it relates to the entire country. Supposing today we prevent the slaughter of cattle, both productive and unproductive. It is estimated that there are nearly one and a half crores of unproductive and useless cattle in this country. What are we going to do about this one and a half crores of cattle? We must know where to preserve them and where to rear them up and that is the reason why we require *gosadans* in this country. A proper survey has to be made and we must know how much money would be required to preserve this cattle in these concentration camps.

Pandit Thakur Das Bhargava (Gurgaon): May I enquire wherefrom he has taken this figure of one and a half crores?

Shri M. V. Krishnappa: It is Government statistics.

Pandit Thakur Das Bhargava: It is not in the Government statistics. It is much less. This figure is wrong. No statistics have been taken.

Shri M. V. Krishnappa: Our statistics estimates show that there are 20 crores of cattle in this country.

They consist of nearly 15 crores of cows and bullocks etc. and nearly 5 crores of buffaloes etc. There are nearly 10 per cent. or at least about 1½ crores—even more than that—which fall under the category of unproductive and useless cattle. So when we think of legislating for preventing cow-slaughter and all that, it is relevant that we should also think of the expenditure that we have to incur in future to maintain these *gosadans* and to run them—both the recurring and non-recurring expenditure.

Madam, I need not lay stress on the importance of the cow in this country. I myself am an agriculturist and I know the importance of the cow in the rural economy of this country. I can compare the cow to the Sindri factory. For me every cow is a small Sindri factory. Apart from the milk that it gives, it gives us manure. Our tractors will not be able to give us manure whereas the cow does.

Shri Nand Lal Sharma: On a point of order. I wish to point out that Members are being persuaded to leave so that we may not be able to have quorum.

Shri V. G. Deshpande: They do not want division.

Mr. Chairman: There is no point of order. If there is no quorum, then naturally I will have to adjourn the House.

Shri V. G. Deshpande: They are prolonging it.

Shri M. V. Krishnappa: I compared the cow to the Sindri factory. Apart from giving milk, apart from helping the agriculturist in ploughing his land, it gives manure which is more important in growing foodgrains. I can compare every cattle shed to the Chittaranjan factory. It produces enough of pulling power in the form of Bullocks and Bulls and it helps this country. I do not want to say that I do not sympathise with the people who lay stress on the importance of preventing cow slaughter in this country, but in doing so, in sympathising with their attitude, I want to bring to the notice of the hon. Members these important factors. There is the *Gosamvardhan* Committee of which Seth Govind Das is also a Member. There we have taken proper action. Seth Govind Das is also a member of the Sub-Committee which drafted a model Bill to be circulated throughout the country. We have drafted a model Bill and that Bill is being circulated to all the States, and Seth Govind Das has agreed that it is not within the jurisdiction of the Centre to legislate for the prevention of cow slaughter.

सेठ गोविन्द दास : On a point of personal explanation, Madam.

Mr. Chairman: Order, order. Let him finish.

सेठ गोविन्द दास : मैं ने यह कभी नहीं कहा । हम को तो उस वक्त तक संतोष नहीं हो सकता जब तक कि गाय के खून का एक बूंद भी इस पुन्यमयी भारतभूमि पर गिरता ह । मैं न केवल यह कहा था कि अगर सरकार अभी इतना करने को तैयार नहीं है तो कम से कम एक माडिल बिल पास कर दे । इसका मतलब यह नहीं है कि मैं उस से सहमत हूं । मैं तो सम्पूर्ण गो हत्या बन्द करने के पक्ष में हूं । आज ३३ वर्षों से वरन् जब से मैं ने होश संभाला है तब से मैं इस के पक्ष में हूं ।

Pandit Thakur Das Bhargava: May I ask the Minister if the Government are keen on implementing the Bill?

Shri M. V. Krishnappa: Yes. That is the reason why the Committee have circulated the Bill.

Shri N. Rachiah (Mysore—Reserved—Sch. Castes): On a point of order, Madam. There is no quorum.

Mr. Chairman: Even if there is, it will stand over because the time is over now.

The House then adjourned till Two of the Clock on Saturday, the 27th February, 1954.